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W.P.No.4473 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2023

CORAM:

THE HON'BLE MR.JUSTICE J. SATHYA NARAYANA PRASAD

**W.P.No.4473 of 2020
and WMP.Nos.5297 & 5299 of 2020**

M. Manoj Kumar

... Petitioner

vs.

1. The Director General of Police cum
The Chairman
Tamil Nadu Uniformed Service,
Recruitment Board,
807, 2nd floor, Anna Salai,
Chennai 600 002.
2. The Inspector General of Police cum
Member Secretary,
Tamil Nadu Uniformed Service
Recruitment Board,
Old Commissioner of Police Office Campus
Pantheon Road,
Egmore, Chennai 600 008.
3. The Chairman of Sub-Committee,
Tamil Nadu Uniformed Service Recruitment Board,
Egmore,
Chennai – 600 008.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue writ of certiorarified mandamus to call for the entire records relating to the impugned e-communication dated 01.02.2020 sent by



W.P.No.4473 of 2020

the 2nd respondent herein and quash the same and direct the respondents to consider the petitioner for the common recruitment for the post of Grade II Police Constable – TSP, Firemen, Jail Warder for the year 2019 under “Sports Category”.

For Petitioner : Mr.L.Mouli

For Respondents : Mr.P.Kumaresan
Additional Advocate General
assisted by
Mrs.D.Sowmi Battan
Standing Counsel

ORDER

The present Writ Petition has been filed challenging the e-communication dated 01.02.2020 sent by the 2nd respondent herein and to direct the respondents to consider the petitioner for the common recruitment for the post of Grade II Police Constable – TSP, Firemen, Jail Warder for the year 2019 under “Sports Category”.

2. The learned counsel for the petitioner submitted that the petitioner has participated in the event of “Cross Country” race which comes under Athlete and the certificate to that effect was also issued by the Director of Physical Education, Bharathiyar University, Coimbatore and hence, the



petitioner shall be considered for appointment to the post of Grade-II Police Constable.

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3. Per contra, the learned Additional Advocate General submitted that the brochure itself lists out the Games and Sports for which candidates can be considered under the Sports Quota. The eligibility for applying under 10% sports quota has been enumerated in Para IX, A-4 in the notification dated 06.03.2019 and Instruction 10(i) of the information brochure mandates the candidate to upload Form-I, Form-II and Form-III for the approved 15 Games. During the certificate verification by the Coimbatore Sub-Committee, the Form -3 certificate produced by the petitioner was found ineligible as it obtained by the petitioner for the event of “Cross Country” issued by Bharathiar University which is not in the list of 15 approved Games and Sports as per G.O.Ms.No.626 Home (Pol.III) dated 23.07.2003 Department and G.O.Ms.No.756 Home (Pol.III) dated 10.11.2016 Department which is being scrupulously followed by the TNUSRB for considering the candidature under sports quota in all its recruitments. He further submitted that even according to the conditions stipulated in the Information Brochure, “**Cross Country**” event does not



form part of the events for which benefits of sports category have to be given in view of Instruction 10 (i) and the petitioner's application cannot be considered for appointment.

4. In respect of his contention, the learned Additional Advocate General relied upon the judgment of this Court in W.P.No.22758 of 2015 dated 03.11.2015 and the relevant paragraphs are extracted hereunder:-

“2. In so far as the Cross Country is concerned, we have already opined in H.Sathish Kumar and others Vs. The Chairman/Director General of Police, Tamil Nadu Uniformed Services Recruitment Board, Chennai and another in W.P.No.26090 to 26092 of 2015 vide order dated 15.10.2015 that it will not form a part of the events for which benefits of sports category has to be given in view of Clause 7 (iii), which has specified the events.

3. Learned counsel for the petitioner also seeks to contend that the petitioner ran a 800 metre race in the athletic meet. However, there is no certificate to this effect specifying that the petitioner had run that event. It is only mentioning his participation in the athletic meet held during 2009-2010”.

5. Heard both sides.



W.P.No.4473 of 2023

6. In view of the above factual matrix of the case and the ratio laid down by this Court in W.P.No.22758 of 2015 dated 03.11.2015, this Court is of the considered view that the writ petition is liable to be dismissed.

7. In the result, the writ petition stands dismissed. No costs. Consequently connected miscellaneous petitions are also closed.

18.08.2023

(2/3)

dpq
Index : Yes/No
Speaking Order : Yes/No



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W.P.No.4473 of 2020

J. SATHYA NARAYANA PRASAD, J.

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W.P.No.4473 of 2020

(2/3)

18.08.2023