



WEB COPY



WP.No.11863 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.11863 of 2015

S.Malarvizhi

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Petitioner

Vs

1. The Secretary (Home-II) Police Department,
Fort St.George, Chennai – 600 009.

2. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.

3. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Anna Salai, Chennai – 600 002.

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Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue Writ of Mandamus directing the respondents to pass orders on the representation dated 01.04.2015 made by the petitioner to select and appoint him as Sub-Inspector of Police, Category-I for the year 1997-98 based on the Judgment of the Hon'ble Supreme Court in Civil Appeal No.7667/2014 in SLP (C) No.21828/2006, etc. dated 07.08.2014.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader



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ORDER

This Writ Petition has been filed for direction directing the respondents to pass orders on the representation of the petitioner dated 01.04.2015 to select and appoint him as Sub-Inspector of Police, Category-I for the year 1997-98 based on the Judgment of the Hon'ble Supreme Court in Civil Appeal No.7667/2014 in SLP (C) No.21828/2006, etc. dated 07.08.2014.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. Initially, the petitioner was appointed as Grade-II Police Constable. Thereafter, he attended the written examination for the post of Sub-Inspector of Police. Though he scored marks, he was not called for viva-voce examination. Similarly placed persons filed writ petitions in the year 2007 and the same was dismissed. Aggrieved by the same, they had also preferred an appeal before the Hon'ble Supreme Court of India and the Hon'ble Supreme Court of India held that the delay and latches cannot be a ground to reject the claim of the meritorious



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candidates who had secured over and above the cut off mark and issued an order to appoint those candidates who had secured over and above the cut off mark in the respective category.

4. So far as the petitioner is concerned, he failed to secure above the cut off mark. That apart, after dismissal of the appeal by the Hon'ble Supreme Court of India, the petitioner filed this Writ Petition. Therefore, the direction sought for in this writ petition cannot be considered and the writ petition is devoid of merits and is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

29.09.2023

Index:Yes/No
Internet:Yes/No
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To
1. The Secretary (Home-II) Police Department,
Fort St.George, Chennai – 600 009.

2. The Director General of Police,



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3. The Chairman,
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