



W.P.No.19299 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.19299 of 2020
and W.M.P.No.23887 of 2020

T.S.Kavitha

... Petitioner

Vs.

The Member Secretary,
Tamil Nadu Uniformed Services
Recruitment Board,
Chennai – 600 008.

... Respondent

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondent to publish the marks obtain by the petitioner in the written examination (Application No:5111086) and select the petitioner provisionally under the (Sports Quota) for Sub-Inspector of Police (Taluk, AR & TSP) as per Notification in No:2/2019 dated 08.03.2019 on the file of the respondent.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.P.Kumaresan,
Additional Advocate General
Assisted by,
M/s.D.Sowmi Dattan



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Standing Counsel

ORDER

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The relief sought by the petitioner in this writ petition is to direct the respondent to publish the marks obtain by the petitioner in the written examination (Application No:5111086) and select the petitioner provisionally under the (Sports Quota) for Sub-Inspector of Police (Taluk, AR & TSP) as per Notification in No:2/2019 dated 08.03.2019 on the file of the respondent.

2. Learned counsel for the petitioner submitted that the petitioner viz., T.S.Kavitha belongs to Most Backward Class Community and completed her degree in B.A.Sociology and applied for the post of Sub-Inspector of Police (Taluk, Armed Reserve (Men & Women/Transgender) & Tamil Nadu Special Police (men)) - 2019, notified by the respondent in Notification No.2/2019 dated 08.03.2019 and the she has applied for the said post under “Sports Quota”. Thereafter, she appeared for the written examination on 12.01.2020. This being so, on 19.02.2020, the respondent informed the petitioner through online instruction stating that she has to send the requisite certificate/document to the official e-mail id on or before 21.02.2020 and the



same was sent by the petitioner on 20.02.2020. However, the result of the petitioner's was not published by the respondent, but, result of other candidates, who appeared in the written examination under "Sports Quota" was published.

3. Learned counsel for the petitioner further submitted that since the result was not published, she preferred an application under RTI Act on 07.10.2020 to furnish the mark sheet and inform whether she has been selected or not. Pursuant to the same, it was informed that the answer sheet could not be provided as per the decision of this Court and informed that the petitioner can download the marks obtained by the provisionally selected candidates, which was published in the official website. After going through the same, the petitioner came to know that candidates who had obtained 27 marks had been provisionally selected for the aforesaid post. Being a graduate in B.A.Sociology, the petitioner would have scored more than 40 marks. Hence, the petitioner has come forward with the present writ petition praying to direct the respondent to publish the marks obtain by her in the written examination and select her provisionally under the (Sports Quota) for



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Sub-Inspector of Police (Taluk, AR & TSP).

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4. Learned Additional Advocate General appearing for the respondent has filed a counter affidavit dated 18.01.2021 and submitted that the Tamil Nadu Uniformed Service Recruitment Board has published the marks obtained by the provisionally selected candidates only for next phase of selection (Physical measurement Test, Endurance Test and Physical Efficiency test and certificate verification). The petitioner has scored only 25 marks in the written examination, which is well below the mark of 32.50, secured by the last selected candidate under MBC Category Sports Quota under the 200-point roster system specified by the Government in G.O.Ms.No.65, Personnel and Administrative Reforms (K) Department dated 27.05.2009. Hence, she was not selected for the next phase of selection (i.e., Physical Measurement Test, Endurance Test and Physical Efficiency Test).

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



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6. The facts of the case is not in dispute. The petitioner has applied for the post of Sub-Inspector of Police (Taluk, AR & TSP) notified by the respondent in Notification No.2 of 2019 dated 08.03.2019 under “Sports Quota” and she was provisionally allowed to appear for written examination based on the application submitted by her. However, her marks were not published in the list of provisionally selected candidates for the next phase of selection. Hence, this writ petition.

7. On hearing the arguments advanced by the learned Additional Advocate General appearing for the respondent and on perusing the counter affidavit filed by the respondent, it is crystal clear and evident that the petitioner has scored only 25 marks in the written examination, below the mark of 32.50, which was secured by the last selected candidate under MBC Category Sports Quota.

8. In view of the above factual matrix of the case, the relief sought for by the petitioner cannot be granted by this Court and hence, this Writ Petition



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is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

J.SATHYA NARAYANA PRASAD,J.

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To:

The Member Secretary,
Tamil Nadu Uniformed Services
Recruitment Board,
Chennai – 600 008.

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