



W.P.No.27849 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.27849 of 2023 and
W.M.P.No.27340 of 2023

P.Pavatharani

... Petitioner

Versus

1.Union of India,
rep. by the Chief Secretary,
Secretariat,
Union Territory of Puducherry,
Puducherry – 605 001.

2.The Officer on Special Duty (OSD),
O/o. Deputy Inspector General of Police,
Chairman of the Recruitment Committee,
Police Head Quarters,
Government of Puducherry,
Puducherry – 605 001.

3.The Senior Superintendent of Police (C&I),
Police Department,
Government of Puducherry – 605 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 17.08.2023 in respect of the petitioner's roll No.3618 passed by the third respondent herein and to quash the same and consequently direct the 3rd respondent to select and appoint the petitioner to police constable.



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For Petitioner : Mr.A.Tamilarasan

For Respondents : Mr.R.Sreedhar,
Additional Government Pleader (Puducherry)

ORDER

This Writ Petition has been filed to quash the impugned order, dated 17.08.2023 in respect of the petitioner's roll No.3618 passed by the 3rd respondent herein and consequently, direct the 3rd respondent to select and appoint the petitioner to the post of Police Constable.

2.The contention of the learned counsel appearing for the petitioner is that the petitioner while submitting the application, she has wrongly mentioned as OBC category for the post of Police Constable, however, she belongs to MBC category. Such a confusion has been occurred, according to the petitioner, that while issuing the notification to the post of Sub Inspector, it is stated as if the candidates belonging to the communities of OBC (Puducherry UT), MBC, EBC, BCM and BT categories of Puducherry UT will be considered under the one umbrella of OBC. On such prediction, she marked OBC category to the post of Police Station. Now, the provisional selection has been cancelled since the petitioner has not produced the OBC community certificate under which she has been



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selected.

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3.Mr.R.Sreedhar, learned Additional Government Pleader (Puducherry) takes notice for the respondents and submitted that according to him, the petitioner has wrongly given OBC category while applying for the post of Police Constable though she comes under the category of MBC. The petitioner has already been selected and now, the same has been cancelled merely on the ground that she has not produced the OBC community certificate.

4.It is relevant to note that the petitioner belongs to MBC community and she has got a certificate in that community and the same is not in dispute. In such view of the matter, the 3rd respondent shall consider the case of the petitioner if is she otherwise found suitable or eligible with the category of MBC and pass orders on the representation of the petitioner, dated 03.08.2023 on merits, within a period of two months, from the date of receipt of a copy of this order.



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N.SATHISH KUMAR, J.

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5.With the above direction, this Writ Petition stands disposed of.

No costs. Consequently, the connected Miscellaneous Petition is closed.

25.09.2023

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

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Note: Issue Order Copy on 05.10.2023.

To

- 1.The Chief Secretary,
Union of India,
Secretariat,
Union Territory of Puducherry,
Puducherry – 605 001.
- 2.The Officer on Special Duty (OSD),
O/o. Deputy Inspector General of Police,
Chairman of the Recruitment Committee,
Police Head Quarters,
Government of Puducherry,
Puducherry – 605 001.
- 3.The Senior Superintendent of Police (C&I),
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