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W.P.No.13952 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.07.2024

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THE HONOURABLE Mrs. JUSTICE R.KALAIMATHI

W.P.No.13952 of 2010

S.Thirupathisundar

...Petitioner

vs.

The Chairman,
Tamil Nadu Uniformed Services &
Recruitment Board,
Chennai – 2

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records in connection with the impugned rejection of the candidature of the petitioner in Application No.A072823 dated 28.06.2010 and quash the same and further direct the respondent to issue a call letter for the petitioner for selection to the post of Sub Inspector of Police under the 20% quota for departmental candidates for the year 2010.

For Petitioner : No Appearance

For Respondent : Mr.P.Kumaresan

Additional Advocate General
assisted by Ms.D.Sowmi Dattan
Standing Counsel



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ORDER

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There is no representation for the petitioner.

2. The impugned rejection of candidature of the petitioner in Application No.A072823 dated 28.06.2010 is under challenge and further direction is sought for to issue a call letter to the petitioner for selection to the post of Sub Inspector of Police under the 20% quota for departmental candidates.

3. Heard Mr.P.Kumaresan, learned Additional Advocate General assisted by Ms.D.Sowmi Dattan, learned Standing Counsel for the respondent.

4. The writ petitioner who was directly recruited as Grade II Police Constable through a selection conducted by the Tamil Nadu Uniformed Services Recruitment Board, Chennai in the year 2003. As regards the educational qualification, the petitioner submits that he has completed 10th standard and thereafter, he got Bachelor's Degree in Economics from the Madras University in the year 2002. The petitioner did not complete his Plus Two course.



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5. As per Advertisement No.110 dated 01.04.2010, the educational qualifications is extracted hereunder:

"the candidates should possess a degree from an University or Institution recognised by UGC prior to the notification. Any candidate who possesses the degree under Open University Scheme must have passed 10th standard SSLC examination and +2 Higher Secondary Examination prior to obtaining the degree in UG/PG. If the candidate possesses Post Graduate degree through Open University without undergoing the Under Graduate degree the same will not be accepted."

6. The relevant portion of G.O.Ms.No.107 dated 18.08.2009 is also culled out, which is extracted as follows:

"The Government carefully examined this recommendation and having decided to accept the recommendation of the Equivalence Committee issues an order recognizing the degrees in Diploma/ Degree/ Post Graduate degrees obtained through Open Universities only after having passed secondary school examination (10th std) and higher secondary school examination (+2) alone for appointment/ promotion in Public Services."

7. The petitioner did not do his +2 after completion of 10th standard.

The issue of educational qualification was resolved by the Order of Full



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Bench of this Court. Wherein validity of G.O.Ms.No.107 has been upheld and a consistent stand has been taken as regards the requirements of educational qualification namely 10+2+3 is mandatory one and failure to comply with the educational qualification would result in disqualification. The petitioner has not completed Plus Two course. The petitioner did not possess the requisite qualification for applying to the post of direct recruitment Sub Inspector of Police as required in the above said notification. Therefore, he is not eligible to apply for the post of Sub Inspector of Police.

8. Based on the aforestated discussions, this writ petition stands dismissed. There is no order as to costs. Consequently, connected miscellaneous petition, if any stands closed.

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(6/11)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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R.KALAIMATHI, J.

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To

The Chairman,
Tamil Nadu Uniformed Services &
Recruitment Board, Chennai – 2

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