



WEB COPY



W.P.No.14073 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.14073 of 2010

K.Karthick

...Petitioner

vs.

1. The State of Tamil Nadu
represented by its Secretary,
Home Department,
Fort St.George,
Chennai – 600 009

2. The Chairman,
Tamil Nadu Uniform Services Recruitment Board,
P.T.L.ee. Chengalvaraya Naicker Trust,
2nd Floor,
No.807, Anna Salai,
Chennai – 600 002

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the Advertisement No.110 issued in Tamil Daily “Dhina Thanthi” dated 01.04.2010 by the 2nd respondent herein and quash the same in so far as fixing the educational qualification that the graduation/post graduation acquired after completing the 10th and +2 examination only is concerned and thereby direct the respondents herein to accept the petitioner's application in No.A050760 for the selection to the post of Sub Inspector of Police.



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For Petitioner : Mr.A.R.Suresh
For Respondents : Mr.S.Rajesh
Government Advocate for R1
: Mr.P.Kumaresan
Additional Advocate General
assisted by Ms.D.Sowmi Dattan
Standing Counsel for R2

ORDER

The Advertisement No.110 dated 01.04.2010 issued by the 2nd respondent herein in Tamil Daily “Dhina Thanthi” is under challenge.

2. Heard Mr.A.R.Suresh, learned counsel for the petitioner, Mr.S.Rajesh, learned Government Advocate for the first respondent and Mr.P.Kumaresan, learned Additional Advocate General assisted by Ms.D.Sowmi Dattan, learned Standing Counsel for the second respondent.

3. The petitioner submits that he has completed his 10th standard in March 2005. Thereafter, he completed B.A. (History) in Madras University under Open University Scheme in May 2009. The petitioner did not complete his Plus Two course.



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4. As per Advertisement No.110 dated 01.04.2010, the educational qualification 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."

5. 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."

6. Therefore, for applying for the post of Sub Inspector of Police as mentioned supra, one should have completed 10 standard, thereafter 12th



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standard and thereafter, he should have completed Bachelor's Degree. As the petitioner has not done his 12th standard, his application was rejected.

7. It appears that the notification was issued in the year 2010 and based on the above said discussions, this writ petition is dismissed as devoid of merits. There is no order as to costs. Consequently, connected miscellaneous petition, if any stands closed.

16.07.2024

(10/11)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

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To

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R.KALAIMATHI, J.

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