



WEB COPY



W.P.No.4563 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.4563 of 2024

K.Arun Petitioner

Vs

1. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
VOC Nagar, Park Town,
Chennai – 600 003.

2. The Principal Secretary,
Human Resources Management,
Tamil Nadu Government,
Fort St.George, Chennai – 600 009.

3. The Principal Secretary,
Home Department,
Tamil Nadu Government,
Fort St.George,
Chennai – 600 009.

4. K.S.Hemachithra Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the final selection list published by the first respondent on 23.08.2016 and



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quash the same in respect of the appointment of the 54th ranked candidate (Roll No.001023128) with reference to the Judgment of the Hon'ble High Court at Madras, in M.Satheesh Kumar Vs State of Tamil Nadu dated 07.09.2022 in W.P.No.6201 of 2013 as the petitioner's case falls within the parameters of Satheesh Kumar case and direct the respondents 1 to 3 to appoint the petitioner to the post of Deputy Superintendent of Police with all consequential service benefits.

For Petitioner : Mr.A.Mohan

For R1 : Mrs.G.Hema
Standing Counsel

For R2 & R3 : Mrs.R.L.Karthika
Government Advocate

ORDER

This Writ Petition has been filed challenging the selection list published by the first respondent dated 23.08.2016, insofar as the fourth respondent's selection and appointment to the post of Deputy Superintendent of Police.

2. Heard Mr.A.Mohan, learned counsel appearing for the petitioner, Mrs.G.Hema, learned Standing Counsel appearing for the first respondent and Mrs.R.L.Karthika, learned Government Advocate appearing for the second and third respondents and perused the materials available on record.



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3. The petitioner had applied for the post of Group-I Service in the Notification No.17/2013, dated 29.12.2013, issued by the first respondent. He had secured 49th rank in the examination conducted by the first respondent. He is coming under Backward Community. However, in the selection list published by the first respondent provisionally, his name was not found and the counselling was conducted on 19.08.2016. According to the petitioner, in the counselling, 2-women candidates were selected in the open category as Deputy Superintendent of Police and two other women candidates were selected under the category BC (OBCM) for the same post. When the petitioner attended the counselling, he was informed that there was no vacancy for the post of Deputy Superintendent of Police in the category of BC (OBCM). While arranging the reservation in favour of women candidates, they were given vertical reservation, while reservation for women is to be arranged horizontally. Therefore, the petitioner sent a representation on 21.09.2022.

4. It is seen from the records that the entire selection process was over and the selected candidates were appointed as Deputy Superintendent of Police. After a period of eight years, the petitioner has now challenged the selection list on the ground that the first respondent failed to follow the



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reservation in respect of the women candidates. Further, the petitioner is coming under the BC Male Category and as such, even if at all, there is any violation committed by the first respondent, the petitioner is not eligible to be appointed as Deputy Superintendent of Police. That apart, it has been challenged after a period of eight years and as such, the writ petition itself cannot be entertained on the ground of laches. Therefore, writ petition is devoid of merits and is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. No costs.

26.02.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
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To
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