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W.P.No.14742 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

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THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.No.14742 of 2021
and W.M.P.Nos.15641 & 15643 of 2021

P.Thilagarajan

... Petitioner

Vs.

1.The Principal Secretary to the Government,
Department of Home,
Fort St. George,
Chennai 09.

2.The Inspector General of Police/ Member Secretary,
Tamil Nadu Uniform Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai 8.

... Respondents

Prayer: Writ Petition is 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 selection list dated 15.04.2021 published by the second respondent and quash the same and consequently, direct the second respondent to redraw the selection list.

For Petitioner : Mr.T.Sivakumar

For Respondents : Mr.R.U.Dinesh Rajkumar AGP for R1
Mr.P.Kumaresan, AAG Assisted by
M/s.D.Sowmi Dattan for R2



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ORDER

This Writ Petition has been filed for quashment of the impugned selection list dated 15.04.2021 published by the second respondent and consequently, to direct the second respondent to redraw the selection list.

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

3. The learned counsel for the petitioner submitted that the respondent had issued a notification dated 18.03.2019 for direct recruitment to the post of Sub Inspector of Police in Tamil Nadu Police Subordinate Service for departmental candidates. The petitioner had applied for the post of Sub Inspector of Police and attended the Exam on 12.01.2020. The second respondent had declared the result of the written examination on 16.03.2020 and the petitioner secured 54 marks out of 70 marks. The petitioner has qualified in the written examination and the second respondent sent call letter for Physical Efficiency Test in the ratio of 1:5 and the petitioner has secured 12 marks out of 15 in the PET. The second respondent had short listed the



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candidates in the ratio of 1:2 and called for Certification Verification and he attended the same on 17.12.2020 and secured 7 marks out of 10. The second respondent had published provisional selection list on 15.04.2021 mentioning the roll number of candidates selected for TK/AR/TSP only. In the selection list, 12 candidates who are not called for viva voice are found place and 5 candidates, who are not cleared in the written examination are also found place. The second respondent had followed communal reservation is quite mystery as provisional selection list declared on 15.04.2021 contained only roll number and cut off marks for different categories separately and not transparent. In this connection, the petitioner gave a representation on 19.04.2021, but till date no order has been passed. Hence, he filed the present petition seeking to quash the selection list published by the second respondent.

4.The learned Additional Advocate General appearing for the second respondent submitted that the Tamil Nadu Uniformed Services Recruitment Board invited applications from Indian citizens for direct recruitment to the post of Sub-Inspector of Police for 969 vacancies, for which notification was issued on 08.03.2019. Thereafter, written examinations for open and



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departmental quota candidates were held on 12.01.2020 and 13.01.2020 respectively. The candidates, who got selected in the written examinations were further called for physical test and viva-voce based on the marks obtained by them in each stage under their respective category. The petitioner belonging to MBC/DNC community applied to the said recruitment under open quota and he secured totally 73 marks. The cut off marks for MBC/DNC category for Taluk is 75.5, armed reserve is 74.75 and TSP is 74.50 marks. Complying with the roster system and communal rotation of the Government, securing lesser than the cut off mark, the petitioner was not selected in the final Provisional Selection List. As per the Government Order in G.O.(Ms).No.65, Personnel and Administrative Reforms (K) Department, dated 27.05.2009 and Sections 27 and 8 of the Tamil Nadu Government Servants (Conditions of Service) Act 2016, the Board had strictly followed the roster system and the principle of reservation for generation of selection list for every stage of selection. He further submitted that the marks and other details of individual candidates had been published in the individual dashboard of the candidates in Tamil Nadu Uniformed Services Recruitment Board website. Three candidates mentioned by the petitioner herein did not qualify for Viva Voce and they approached the Hon'ble Division Bench of



the Madurai Bench of this Court by way of writ petition in W.P.(MD).Nos.19112, 19121 & 19123 of 2020 with the prayer to apply PSTM at every stage and the said petition was allowed and directed the Board to consider the case of the petitioners therein. Thereafter, the petitioners therein were called for viva voce on 15.03.2021 and selected in the final provisional selection list. Two candidates namely, G.Mariappan and R.Gopinath along with 6 others have approached the Hon'ble Division Bench of the Madurai Bench of this Court in W.A(MD).Nos. 1217 & 1218 of 2020 against the order passed in W.P.(MD).No.7197 & 8496 of 2020 seeking for 0.5 marks for question No.47 in 'A' booklet series and in other booklet series. The Hon'ble Division Bench had allowed the appeals on 23.12.2020 and thereafter, the said candidates were called for viva-voce and awarded 0.5 mark in the written test to all those candidates, who have marked answer as either option 'A' or 'B'. After that, they were selected in the final provisional selection list. He also submitted that the petitioner was not selected in the final provisional selection list for want of marks under his respective category. The Board had completed the recruitment process and published the final provisional selection list on 15.04.2021 by filling up the notified vacancies in compliance with the Government Orders. After medical



examination and police verification, the appointment orders had been issued to the selected candidates. Therefore, the prayer of the petitioner to reserve one post of Sub Inspector of Police for him is not maintainable.

5.A perusal of the records reveals that proper procedure has been followed by the Board by filling up the notified vacancies in compliance with the Government Order and thereafter, published the final provisional selection list. After conducting Medical examination and Police verification, the appointment order had also been issued to the selected candidates. Hence, this Court is of the considered opinion that the impugned selection list dated 15.04.2021 published by the second respondent warrant no interference.

6. Accordingly, this Writ Petition stands dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.

20.09.2024

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Index : Yes / No

Internet : Yes / No



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VIVEK KUMAR SINGH, J.

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