



WP.(MD).No.3417 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 18.03.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.3417 of 2024

M.Vadivel Murugan

... Petitioner

Vs.

1.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai.

2.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai.

3.The Director General of Police,
O/o the Director General of Police,
Tamil nadu,
Chennai – 600 004.

4.The Superintendent of Police,
O/o. the Superintendent of Police,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to consider the sports certificate submitted and to award 0.5 marks by considering the

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representation of the petitioner dated 03.02.2024.

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For Petitioner : Mr.C.M.Arumugam
For Respondents : Mr.P.Veera Kathiravan,
Additional Advocate General
Assisted by
Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, seeking to consider the sports certificate submitted and to award 0.5 marks by considering the representation of the petitioner dated 03.02.2024.

2.The respondent Board on 05.05.2023 issued a notification vide Notification No. 1 of 2023 for the recruitment of Sub Inspectors and Station Fire Officers to a total number of 750 vacancies. The petitioner, who is serving as Grade II Police Constable at Kodiyangulam Police Station, Ramanathapuram District since 2021, has made an application pursuant to the issuance of the said notification. The petitioner is a Volleyball player who had represented Tamil Nadu Polytechnic College, Madurai in the divisional level competition. While applying for the post of Sub Inspector under the general category, the petitioner had uploaded all the certificates in connection to his educational



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qualification. However, since he could not trace the sport certificates, he failed to upload the sports certificate. Following which the petitioner cleared the written examination, which was conducted on 26.08.2023 and also cleared the physical endurance test and interview which was conducted on 07.11.2023 and 29.12.2023 respectively. Subsequently on 29.01.2024, the result was published by the first respondent and the petitioner had secured 81.25 marks. However, the petitioner was not selected.

3.The petitioner belonged to the most backward class denotified community PSTM category. As far as MBC, DNC, PSTM is concerned, the notification has clarified that, out of total 750 vacancies, 20 percentage of vacancies has been reserved for MBC, DNC, PSTM category. However, another candidate who fell as one of the candidate in the MBC, DNC community has secured 81.25 percentage marks in overall performance. Though the petitioner had secured equal marks, he was not selected as the date of birth of the candidate who has been selected was prior to that of the petitioner's date of birth.

4.In view of the same, the petitioner's candidature was



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excluded. But if the petitioner's sport certificate had been considered, it would be covered under Clause 21(C) of the notification, wherein 0.5 marks has been prescribed for the candidates who had participated in the divisional level competitions. So, if the petitioner's sport certificate is taken into consideration, he would have secured 81.75 marks and would have automatically come within the zone of consideration for the post of Sub-Inspector. In this regard, the petitioner had sent a representation on 03.02.2024 seeking to consider his sport certificate, thereby awarding him with 0.5 marks. Though it was received on 05.02.2024, the same is pending consideration and hence, this Writ Petition came to be filed seeking to direct the respondents to consider the petitioner's sport certificate, thereby awarding him 0.5 marks.

5.However, the learned Additional Advocate General submitted that the petitioner's representation which was sent on 03.02.2024, was duly received by the respondents on 07.02.2024 and was thereafter, replied and rejected vide proceedings dated 15.02.2024. Having not challenged the rejection of the DGP-TNUSRB dated 15.02.2024, the petitioner ought not to have filed



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this Writ Petition for a Mandamus simpliciter.

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6.Heard the learned counsel appearing for the petitioner, the learned Additional Advocate General appearing for the respondents and carefully perused the entire materials available on record.

7.Though the petitioner has claimed that yet another candidate falling under the communal category of MBC, DNC, PSTM had secured 81.25 marks in overall performance, he had not given the details of the said candidate. From his own affidavit, it could be understood that at the time of submitting his application, he did not upload his sport certificate. Now, having failed to come within the Zone of consideration and after being excluded from being selected to the post of Sub-Inspector, the petitioner as a last effort has made his representation dated 03.02.2024 seeking to consider his sports certificate and thereby, grant him with 0.5 marks under the sports category under Clause 21(C) of the notification.

8.Had the respondent board permitted the same, it would obviously affect the prospectus of the other candidate who has



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been selected under the communal category MBC, DNC, PSTM category. It is needless to state that the applicants who are aspiring for being selected to public post should while making applications and filling up of application forms should fill up the application form carefully and diligently as a one-time measure. Almost in all the recruitment notification, it is a mandate that future requests as far as corrections with respect to what had been uploaded in the application forms would not be accepted later by the departments concerned. Even in this case, the petitioner having failed to diligently fill up his application form and upload the sports certificates in time, now after the complete recruitment process is over, has submitted a representation dated 03.02.2024 seeking to consider his sports certificate in the divisional level and award with 0.5 marks to the respondents. That apart, though the respondents had duly rejected the said representation vide order dated 05.02.2024 without challenging the order of rejection dated 15.02.2024, the petitioner has filed this Writ Petition as a Mandamus simpliciter.

9. In view of the same, giving liberty to the petitioner to challenge the rejection order passed by the respondent board vide



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order dated 15.02.2024, this Court is not inclined to give any direction to the respondent board.

10.In view of the same, the Writ Petition is disposed of. There shall be no order as to costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

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Chennai.

2.The Member Secretary,
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L.VICTORIA GOWRI, J.

Mrn

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