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W.P.(MD) No.5709 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.5709 of 2021

and

W.M.P.(MD) Nos.4511, 4512 & 14958 of 2021 & 16279 of 2022

R.Delphinraj

... Petitioner

-vs-

1.Union of India
rep.by Under Secretary
Ministry of Defense
Raisina Hills
New Delhi

2.The Director General
Indian Coast Guard Regional (East)
Port Trust Officers Quarters
Sathya Nagar
Chennai Port Trust
Chennai, Tamil Nadu-600 001

3.The Director
Indian Coast Guard
Directorate of Recruitment
C-Block, Sector-62
Industrial Area
Noida-201 309
Uttar Pradesh

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records relating to the impugned Final Medical Examination List issued by the third respondent, dated 21.01.2021 and quash the same and direct he respondents to permit the petitioner for Final Medical Examination within the time stipulated by this Court.

For Petitioner : Mr.M.Arumugam

For Respondents : Mr.S.Jeyasingh
Senior Panel Counsel of India

ORDER

This writ petition has been filed challenging the final medical examination list, dated 21.01.2021, issued by the third respondent.

2. The petitioner applied for Chilka Navik (General Duty) post. In the final medical examination list issued by the third respondent, dated 21.01.2021, the petitioner was not selected to the said post applied by him. According to him, persons who secured only 48 marks were selected under the



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OBC Category. The petitioner also belongs to OBC Category and he had secured 57 marks.

3. Counter affidavit has been filed by the respondents denying the allegations of the petitioner. According to them, under the OBC Category, the cut off mark was 58 marks. Further, according to them, no applicant under the OBC Category, who had secured below 58 marks, was selected as claimed by the petitioner. Except for producing the final medical examination list, which is impugned in this writ petition, the petitioner has not filed any proof to show that the respondents, in the impugned selection list, dated 21.01.2021, had selected candidates under the OBC Category, who had secured below 58 marks, as claimed by the petitioner. The impugned selection list also pertains to the year 2021. This writ petition, though was filed in the year 2021, has come up for final disposal only now. This Court also takes note of the fact that no useful purpose will be served, that too when there is no proof to show that the respondents had selected a candidate, who had secured 48 marks, which is less than the marks secured by the petitioner in the impugned selection list dated 21.01.2021 to entertain this writ petition, at this juncture. Therefore, there is no merit in this writ petition.



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4. Accordingly, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

05.08.2024

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

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To:

- 1.The Under Secretary,
Ministry of Defense,
Union of India,
Raisina Hills,
New Delhi.
- 2.The Director General,
Indian Coast Guard Regional (East),
Port Trust Officers Quarters,
Sathya Nagar,
Chennai Port Trust,
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ABDUL QUDDHOSE, J.

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