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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.23375 of 2024

and

W.M.P(MD)Nos.19774 & 19775 of 2024

A.Yogeshwaran

... Petitioner

Vs.

1.Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Chairperson,
Chennai – 600 008.

2.Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Member Secretary,
Chennai – 600 008.

3.The Director General of Police,
Mylapore,
Chennai – 600 004.

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

... 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 notification in Notification No.02/2023, dated 08.08.2023 on the file of the Respondent No.2 in so far as Clause No.3 restricting the



10% wards cum dependent quota only in respect of the ward's department in concerned and the consequential Impugned Final Provisional Selection List uploaded in the official website of the Respondent No.2 in so far as not including the petitioner under BC (General) (Ward Quota) is concerned and quash the same as illegal and consequently for a direction, directing the respondents to select and appoint the petitioner in the post of Fireman under wards/dependents quota in view of the mark secured by the petitioner and in accordance with the Government Order in G.O.Ms.No.834, Home(Police III) Department dated 10.09.2001 within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Raja Simman

For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The instant writ petition has been filed by the Ward of Special Police, seeking to quash the notification issued by the first respondent herein under notification No.02 of 2023, dated 08.08.2023, in so far as clause No.3, restricting the 10% wards cum dependant quota only in respect of the ward's department.

2.It could be seen from the typed set of papers that the petitioner is a wards-cum-dependant of a Special Sub Inspector of Police.



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3.A perusal of the typed set of papers further reveals that the petitioner, having secured lesser marks, is aspiring only to the post to the post of Firemen. However, he is not a Ward or dependant of a Firemen. Therefore, the petitioner cannot seek 10% wards-cum-dependant quota for the Firemen. This 10% quota and the restriction is pursuant to G.O.Ms.No.681, Home (Police-XVII) Department, dated 11.08.2005, wherein the amendments have been carry out in Tamil Nadu Fire Service Rules.

4.In view of the above said facts, the petitioner having not challenged the service rules, he would not be entitled to challenge the recruitment notification issued by the first respondent herein.

5.With the above said observations, there are no merits in the writ petition. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

19.10.2024

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



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To

1.The Chairperson,
The Tamil Nadu Uniformed Services Recruitment Board,
Chennai - 600 008.

2.The Member Secretary,
The Tamil Nadu Uniformed Services Recruitment Board,
Chennai - 600 008.

3.The Director General of Police,
Mylapore,
Chennai - 600 004.

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



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R.VIJAYAKUMAR, J.

RJR

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