



W.P.(MD)No.24362 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 21.10.2024

Pronounced on : 23.10.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.24362 of 2024

and

W.M.P.(MD)No.20687 of 2024

K.Ajithkumar

... Petitioner

Vs.

1.The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai – 4.

2.The Chairman and Director General of Police,
Tamil Nadu Uniformed Service Recruitment Board(TNUSRB),
Egmore, Pantheon Road,
Chennai – 8.

3.The Superintendent of Police,
Tamil Nadu Uniformed Service Recruitment Board(TNUSRB),
Egmore, Pantheon Road,
Chennai – 8.

4.The Head Mistress,
S.H.N.Ethel Harvey Girls,
Higher Secondary School,
Sattur – 626 203.

...Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 1st and 2nd respondent to Award ½ mark for participation in the District Level Sports/Games Competitions conducted by the 4th respondent for the year 2011 to 2012 on 13.02.2011 or award 1 mark for participation in the State Level Long Jump event conducted by Youth and Sports Promotion Association of Tamil Nadu affiliated to Ministry of Youth Affairs and Sports, Government of India on 23.04.2023 and thereby direct the 1st and 2nd respondent to select and appoint him in the post of Grade II Police Constables (Male) in the Tamil Nadu Special Police for the year 2023 based on the petitioner's representation dated 30.09.2024 within the time limit that may be fixed by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by
Mr.S.Shaji Bino
Special Government Pleader
for R1 to R3

* * * * *

ORDER

The instant writ petition has been filed by an aspirant to the post of Grade-II Police Constable/Grade-II Jail Warder and Firemen, 2023 pursuant to notification issued by the second respondent herein on 08.08.2023. The prayer in the writ petition is for a mandamus to direct the respondents 1 and 2 to award 1/2 mark for participation in the District Level Sports conducted by the fourth



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respondent or award 1 mark for participation in the State Level "Long Jump" event conducted by the Youth and Promotion Association of Tamil Nadu and consequentially direct the first and second respondent to select and appoint the petitioner as Grade-II Constable.

(A)Factual Matrix

2.The petitioner herein belongs to Backward Class Community and he had sought for appointment under PSTM quota. The petitioner has also enclosed a sports certificate at the time of uploading his application. The petitioner has secured 83.5 marks in the written examination. However, he has not been permitted to participate in the further selection process on the ground that he is not qualified. Hence, the present writ petition has been filed.

(B) Contentions of the counsels appearing on either side:-

3.The learned Counsel appearing for the writ petitioner had contended that cut off marks for BC candidates under PSTM quota for being selected to Tamil Nadu Special Police is 84. The petitioner has secured 83.5 marks. The petitioner has enclosed a sports certificate for having participating in the Zonal Level Sports and Games while he was in school. After the results were declared, the petitioner has obtained a certificate from the fourth respondent on



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27.09.2024 to establish his participation in the Educational District Level Sports while he was as school student. Hence, the petitioner has contended that these two certificates have to be taken into account and 1/2 mark should have been awarded so that he would get selected under BC PSTM quota.

4.The learned Additional Advocate General appearing for the respondents had contended that all the sports certificates enclosed by the candidate were referred to Sports Development Authority of Tamil Nadu for evaluating them. The said authorities have found that the petitioner is not eligible for any marks for those certificates, in view of the fact that they are not within the norms. He further contended that now along with the writ petition, a certificate issued by the fourth respondent school on 27.09.2024 has been enclosed. The said certificate has been obtained after the results have been published and therefore, the said documents cannot be taken into consideration. Hence, he prayed for dismissal of the writ petition.

5.I have carefully considered the submission made on either side and perused the materials available on record.



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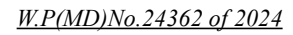
(C) Discussion

6.Three sports certificates are relied upon by the learned Counsel appearing for the writ petitioner to claim 1/2 mark under the sports quota.

7.As far as the certificate issued by the Athletic Association, Aruppukottai Educational District is concerned, it makes it clear that the petitioner has participated in the Zonal Level Sports and Games, Reddiyapatti Zone.

8.A perusal of the recruitment notification reveals that the petitioner would be entitled to 1/2 mark only for the participation in the Educational District Level and not in the Zonal Level. Therefore, the Sports Development Authority of Tamil Nadu authorities have rightly not granted any marks for the above said certificate.

9.The learned Counsel appearing for the writ petitioner has relied upon a certificate issued by the Youth and Sports Promotion Association of Tamil Nadu for participation of the writ petitioner in Long Jump. According to the learned Additional Advocate General, the said Sports Association has not been approved by the Government of Tamil Nadu and therefore, the same cannot be taken into consideration. This Court is inclined to accept the said contention.



11. A perusal of the records indicate that the last date for uploading of the application along with the documents is 08.09.2023. The results were published on 23.09.2024 and the marks were released on 25.09.2024. The petitioner has obtained the above said certificate on 27.09.2024. Unless the certificates are uploaded before the last date of submission of applications, they cannot be taken into consideration by the authorities concerned. If this certificate produced by the writ petitioner is taken into consideration, it would cause great prejudice to all other candidates, who did not get selected due non-furnishing of relevant certificates before the cut off date. Therefore, this Court is of the considered opinion that based upon this certificate 1/2 mark cannot be awarded to the writ petitioner.



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12. In view of the above said deliberations, there are no merits in the writ petition. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

23.10.2024

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

RJR

To

1. The Director General of Police,
Dr. Radhakrishnan Salai, Mylapore,
Chennai – 4.

2. The Chairman and Director General of Police,
Tamil Nadu Uniformed Service Recruitment Board(TNUSRB),
Egmore, Pantheon Road,
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3. The Superintendent of Police,
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R.VIJAYAKUMAR, J.

RJR

Pre-delivery order made
in
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and
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23.10.2024