



Rev.Aplw.No. 134 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 08.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

Rev.Aplw.No. 134 of 2025

B.Sastha Indhusekaran

... Petitioner

Vs.

1. The State of TamilNadu,
Rep. by its Secretary to Government of Tamil Nadu,
Home (Police) Department,
Secretariat, Chennai.
2. Tamil Nadu Uniformed Services Recruitment Board,
Rep. by its the Chairman-cum-Director General of Police,
Old Commissioner Office,
Egmore, Chennai – 600 008.
3. The Director General of Police (L & O)
O/o. Director General of Police,
Dr. Radhakrishnan Road,
Chennai – 4.
4. G.Sankaranarayanan ... Respondents

PRAYER: Review Application has been filed under order 47 Rule 1 read with 114 of Code of Civil Procedure, pleased to allow this Review Application, review the order dated 25.06.2024 passed in WP.No.1889 of 2022 and grant the relief as prayed for in the writ petition.



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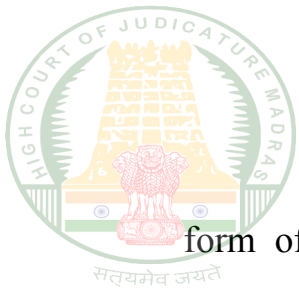
For Petitioner : Mr.P.Kumaravel
For R1 & R3 : Mr.C.Jayaprakash
Government Advocate
For R2 : Mr.P.Kumaresan
Additional Advocate General
assisted by Mr.D.Swami Dattan
Standing Counsel

ORDER

The review petitioner seeks to review the order dated 25.06.2025 made in WP.No.1889 of 2022.

2. The petitioner in W.P. No. 1889 of 2024 is the petitioner in the review application.

3. The learned counsel appearing for the review petitioner submits that, firstly, this Court had non-suited the petitioner on the ground that he was a fence-sitter and did not take any steps. In this regard, it is now stated in the review petition that they have come across additional material namely, a representation made by the petitioner immediately after the selection on 21.08.2008, stating that the marks were not properly awarded and that the selection was erroneous in law. Proof of making this representation in the

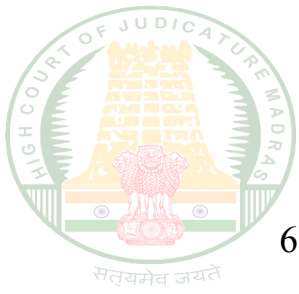


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form of an acknowledgment is also available. As a matter of fact, when another candidate made a similar representation, it was considered and his grievance was redressed by the respondents, whereas the petitioner's representation was never considered. This fact was not taken into account by this Court while passing the order and as such, the order is now sought to be reviewed.

4. The second ground that is pleaded is that, apart from the issue of awarding marks, even as per the marks awarded by the respondents, the selection was improperly made. From the tabular column prepared by the petitioner, it is clear that the petitioner should have been accommodated in one vacancy under the General Turn. The third contention raised by the petitioner is that though his name was shown as a selected candidate in the list for medical examination and his name promptly figuring in Serial No. 6, he was not called for the medical examination. This flaw is now demonstrated by the review petitioner.

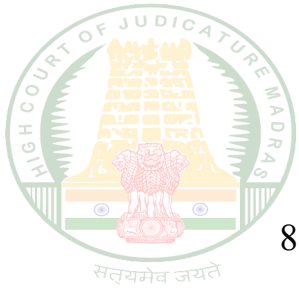
5. I have considered the submissions made by the learned counsel appearing for the petitioner.



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6. The arguments with reference to the arrangement of vacancies or the petitioner being erroneously left out of the medical examination, etc., relate to the merits of the matter. In this case, the selection for the post of Sub-Inspector of Police was made in the year 2008. The writ petition was filed in 2022. Earlier, with reference to the very same selection, when a batch of writ petitions was filed, the Hon'ble Division Bench restricted the relief to those candidates who had approached the Court earlier and held that relief need not be granted to those who had not approached the Court until then by holding them as fence-sitters.

7. As a matter of fact, the writ petition itself was filed on the ground that a contrary view was taken by another Hon'ble Division Bench. I have undertaken the exercise of reading both Hon'ble Division Bench judgments together and have arrived at the conclusion that, as far as the second Hon'ble Division Bench judgment is concerned, the direction was only with reference to re-fixation of seniority. As far as the selection is concerned, it was confirmed by the earlier Division Bench judgment as early as 2010, and it cannot be re-opened belatedly at this point in time.



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8. Therefore, merely because the petitioner made a representation immediately or is now able to put forth additional materials pointing out defects in the selection will not alter the view taken by this Court. Accordingly, I am not in a position to agree with the learned counsel for the review petitioner that any grounds for review have been made out.

9. Finding no merit, the review petition stands dismissed. No costs.

08.07.2025

Neutral Citation: Yes/No
nsl

To

1. The Secretary to Government of Tamil Nadu,
Home (Police) Department,
Secretariat, Chennai.
2. The Chairman-cum-Director General of Police,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner Office,
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