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W.P.No.36295 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM

THE HONOURABLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No.36295 of 2024

AND

W.M.P.No.39176 of 2024

M.Tamilselvan

... Petitioner

Vs

1.The Chairman

Tamil Nadu Uniformed Services Recruitment Board

Old Commission Office

Pantheon Road, Egmore-8

2.The Director General of Police

Dr.Radhakrishnan Road

Mylapore, Chennai-4

3.Sports Development Authority of Tamil Nadu

Jawaharlal Nehru Stadium, Chennai-3

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent as regards the candidature of the petitioner for the post of Grade-II PC for the year 2023 bearing Roll No.2701822 and directing the respondents to appoint the petitioner as Grade-II PC for the year 2023 within the time frame by way of awarding 1 mark to



W.P.No.36295 of 2024

him under the sports quota for having participated in the 3rd Tamil Nadu State Senior Traditional Wrestling Championship 2022-2023 on 18th and 19th March 2023.

For Petitioner : Mr.Ravi Anandha Padmanabhan
Senior Counsel for Mr.B.Thirumalai
For R1 : Mr.D.Sowmi Dattan, Standing Counsel
For R2 : Mr.V.Nanmaran
Additional Government Pleader
For R3 : Ms.N.S.Tanvi, Standing Counsel

ORDER

This writ petition has been filed in the nature of a mandamus seeking a direction against the 1st respondent *viz.*, The Chairman, Tamil Nadu Uniformed Services Recruitment Board (TNUSRB) at Egmore, Chennai, with respect to the candidature of the petitioner to the post of Grade-II PC for the year 2023.

2. The petitioner participated in the examination with roll No.2701822. He seeks a direction to be appointed as Grade-II PC for the year 2023. He claims that one mark has to be awarded to him under sports quota for having participated in 3rd Tamil Nadu State Senior Traditional Wrestling Championship 2022-23 held on 18th and 19th of March 2023.



W.P.No.36295 of 2024

WEB COPY

3. In the affidavit filed in support of the writ petition, it had been contended that the petitioner had applied for selection of Grade-II PC for the selection year 2023. He had secured 63 marks in the written examination and 20 marks in the physical examination. He belongs to BC community. The cutoff mark was 84, whereas, he obtained 83 marks. The petitioner claimed that he should have been granted one additional mark for having participated in the State level wrestling competition. It is contended that if that one mark had been awarded to the petitioner, he would have been within the zone of selection.

4. The petitioner claims that such one mark should be granted to him, since according to him, he had participated in 3rd Tamil Nadu State Senior Traditional Wrestling Championship 2022-23 held on 18 and 19th of March 2023 at Tirunelveli. The petitioner represented Erode District and he participated in the Mens Freestyle Wrestling for those weighing 79 kgs. Certificate in this regard had been issued by the Tamil Nadu Amateur Wrestling Association, which has been recognised by the Sports Development Authority of Tamil Nadu (SDAT) and is affiliated to Wrestling Federation of India and with the Tamil Nadu State Olympic



W.P.No.36295 of 2024

Association.

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5. The objection raised on behalf of the 1st respondent for not granting that particular one mark to the petitioner is the opinion which the respondent has received from the SDAT, wherein, they had categorised a new form of wrestling called Traditional Wrestling. It had been contended that since the competition had the nomenclature, 3rd Tamil Nadu State Senior Traditional Wrestling Championship 2022-23, it had been contended that the petitioner participated in Traditional Wrestling Competition and therefore was ineligible to be considered for grant of any mark under the sports quota.

6. It is the contention of the respondents that they adhered to the sports which are recognised by the Olympic Federation and so far as the wrestling is concerned, two forms of wrestling are recognised viz., Freestyle Wrestling and Greco-Roman Wrestling. It is contended that since the petitioner had participated in Traditional Wrestling Championship, he cannot be granted that one additional mark.

7. The learned Senior Counsel appearing on behalf of the petitioner,



W.P.No.36295 of 2024

however, stated that the only requirement so far as the respondents are concerned

for consideration of a certificate would be that the certificate should have been issued by an Association which is categorised in annexure-VII to the notification.

There are 16 separate Associations. One of them is Tamil Nadu Amateur Wrestling Association. The Association should also be recognised with the Indian Olympic Federation, Tamil Nadu Olympic Association and the Sports Development Authority of Tamil Nadu. There is no dispute that the Tamil Nadu Amateur Association is recognised by the SDAT and affiliated to the Wrestling Federation of India and to the Tamil Nadu State Olympic Association. Therefore, the competency of Tamil Nadu Amateur Association, to issue the certificate, cannot be disputed by the respondents.

8. The only aspect is that the petitioner according to the respondents, participated in a Traditional Wrestling competition and not in a Freestyle Wrestling competition. The certificate produced, however speaks otherwise. The certificate had been issued for participating in Mens Freestyle Wrestling for 79 kgs. representing Erode District. This certificate has been issued by the President and the General Secretary of the said Association. If any clarification is



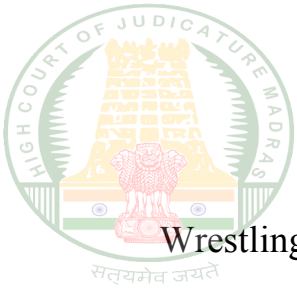
W.P.No.36295 of 2024

to be issued, the 1st respondent should have approached this particular Association

viz., Tamil Nadu Amateur Wrestling Association to find out the manner in which the competition was held in the 3rd Tamil Nadu State Senior Traditional Wrestling Championship 2022-23.

9. On the other hand, the 1st respondent has produced an opinion from the SDAT. It had been stated by them that Traditional Wrestling does not align with the standardised rules and requirement of international competitions. Therefore, it is contended that certificates reflecting the same are not eligible for awarding marks.

10. But, there is no specific averment stated that the petitioner participated in Traditional Wrestling and not in Freestyle Wrestling. If the respondents are to contend that the petitioner had participated in Traditional Wrestling, but, still produced a certificate, wherein, it had been stated that he had participated in the Freestyle Wrestling, the reasoning should be different and they could have questioned the very veracity of the certificate produced by the petitioner. They have not questioned the veracity of the certificate. However, they contend without basis and without proof that the petitioner had participated in a Traditional



W.P.No.36295 of 2024

Wrestling competition.

WEB COPY

11. It is no doubt true that the name of championship has been given by the 3rd Tamil Nadu State Senior Traditional Wrestling Championship 2022-23. But that would not indicate and could not be a benchmark to held that no other wrestling competition was held. The certificate is clear. The certificate cannot be interpreted otherwise. The certificate states that the petitioner participated in Freestyle Mens Wrestling for 79kgs. No other ground is taken on behalf of the respondents.

12. Though the learned Standing Counsel appearing for the 1st respondent made a request for getting further instructions, I am not able to understand what further instructions could now be sought against the document produced before this Court and when at the time of applying for the post, the veracity of which has not been disputed by the respondents. When they have given a list of Associations which are recognised and whose certificates could be considered, it is certainly unbecoming of the respondents to reject a certificate of the Association, which is recognised by the SDAT. I hold that denial of one mark to the petitioner is not fair and it has to be interfered with by this Court. A direction is issued to the



W.P.No.36295 of 2024

respondents to grant that one mark under sports quota to the petitioner herein.

Necessary orders in that regard may be passed within a period of three weeks from the date of receipt of a copy of this order and consequential orders must also be passed.

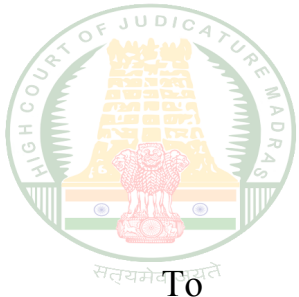
With the above direction, this writ petition is allowed. No costs. Connected W.M.P. is closed.

07.03.2025

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Index : Yes

Neutral Citation : Yes



W.P.No.36295 of 2024

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WEB COPY

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WEB COPY



W.P.No.36295 of 2024

C.V.KARTHIKEYAN, J.

gya

W.P.No.36295 of 2024

07.03.2025