

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Twenty Fourth day of June Two Thousand Nineteen

PRESENT

THE HON'BLE MR JUSTICE V. PARTHIBAN

WP.Nos.15911, 15920 & 16549 of 2019

AND

WMP.Nos.15722, 15728 & 16186 of 2019

DEEPIKA ... PETITIONER in WP No.15911 of 2019

THENMOZHI ... PETITIONER in WP No.15920 of 2019

SARATHA ... PETITIONER in WP No.16549 of 2019

Vs

[RESPONDENTS IN ALL THE PETITIONS]

1 THE CHAIRMAN,
TAMIL NADU UNIFORMED SERVICES RECRUITMENT
BOARD OLD COP OFFICE CAMPUS, PANTHEON ROAD,
EGMORE, CHENNAI 600 008.

2 STATE OF TAMIL NADU,
REP. BY ITS SECRETARY, DEPARTMENT OF SOCIAL
WELFARE SECRETARIAT, FORT ST.GEORGE, CHENNAI
600 009.

3 STATE OF TAMIL NADU,
REP. BY ITS SECRETARY, DEPARTMENT OF LABOUR
AND EMPLOYMENT SECRETARIAT, FORT ST. GEORGE,
CHENNAI 600 009.

Writ Petitions under Article 226 of the Constitution of India praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to issue a Writ of Certiorarified Mandamus

(1) WP No.15911 of 2019
Quashing the Notification No.1/2019 dated 06/03/2019 to the extent that it provides age limit of 26 years for transgender applicants to the post of Grade II police Constable (AR) and Direct the respondents to issue a Corrigendum providing for relaxation of age to transgender persons seeking to apply for the post of Grade II Police Constable up to 45 years, similar to the age relaxation provided to other categories and further direct the Respondent

No.1 to allow the petitioner to apply for the post of Grade II Police Constable (AR), on the online application portal and accept the application of the petitioner and to permit her to appear for the written examination

(2) WP No.15920 of 2019

Quashing the Notification No.1/2019 dated 06/03/2019 to the extent that it provides age limit of 26 years for transgender applicants to the post of Grade II police Constable (AR) and Direct the respondents to issue a Corrigendum providing for relaxation of age to transgender persons seeking to apply for the post of Grade II Police Constable up to 45 years, similar to the age relaxation provided to other categories and further direct the Respondent No.1 to allow the petitioner to apply for the post of Grade II Police Constable (AR), on the online application portal and accept the application of the petitioner and to permit her to appear for the written examination

(3) WP No.16549 of 2019

Quashing the Notification No.1/2019 dated 06/03/2019 to the extent that it provides age limit of 26 years for transgender applicants to the post of Grade II Police Constable (AR) and Direct the respondents to issue a Corrigendum providing for relaxation of age to transgender persons seeking to apply for the post of Grade II Police Constable up to 45 years, similar to the age relaxation provided to other categories and further direct the Respondent No.1 to for the post of Grade II Police Constable up to 45 years, similar to the age relaxation provided to other categories and further direct the Respondent No.1 to allow the petitioner to apply for the post of Grade II Police Constable (AR), on the online application portal and accept the application of the petitioner and to permit her to appear for the written examination

(4) WMP No.15722 of 2019

To accept the application of the petitioner for the post of Grade II Police Constable (AR) under the Notification No.1/2019 dated 06/03/2019 and allow the petitioner to appear for the written examination that is to be conducted by the respondent No.1 for the said post.

(5) WMP No.15728 of 2019

To accept the application of the petitioner for the post of Grade II police Constable (AR) under the Notification No.1/2019 dated 06/03/2019 and allow the petitioner to appear for the written examination that is to be conducted by the respondent No.1 for the said post.

(6) WMP No.16186 of 2019

To Direct the Respondent to accept the application of the petitioner for the post of Grade II Police Constable (AR) under the Notification No.1/2019 dated 06/03/2019 and allow the petitioner to appear for the written examination that is to be conducted by the respondent No.1 for the said post.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.JAYNA KOTHARI, SENIOR COUNSEL FOR MS.DEEKSHITHA GANESAN, Advocate for the petitioner in each of the petitions and of MRS.NARMADHA SAMPATH, Additional Advocate General appearing for the Respondents in all the petitions the court made the following order:-

Heard, M/s. Jayna Kothari, learned Senior Advocate for Ms.Deekshitha Ganesan, appearing for the petitioners and M/s.Narmadha Sampath, learned Additional Advocate General appearing for the respondents.

2. Since an important issue has been raised in these writ petitions in regard to the relaxation of age of the petitioners and the like, which require critical appreciation and examination by this Court and also the fact that the balance of convenience is in favour of the petitioners, the following interim direction is issued.

(i) There shall be a direction, directing the first respondent to accept the applications from the petitioners for the posts of Grade II Police Constable (AR) under the Notification No.1/2019 dated 06.03.2019 and allow the petitioners to appear in the written examination that is to be conducted by the first respondent for the said post. The interim order passed by this Court is without prejudice to the rights of the parties in these writ petitions.

-sd/-

24/06/2019

/ TRUE COPY /

A. L. Anand 24/6/19
Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO-

1 THE CHAIRMAN,
TAMIL NADU UNIFORMED SERVICES RECRUITMENT
BOARD OLD COP OFFICE CAMPUS, PANTHEON ROAD,
EGMORE, CHENNAI 600 008.

2 THE SECRETARY,
STATE OF TAMIL NADU, DEPARTMENT OF SOCIAL
WELFARE SECRETARIAT, FORT ST.GEORGE,
CHENNAI 600 009.

cn 0076356

**3 THE SECRETARY,
STATE OF TAMIL NADU, DEPARTMENT OF
LABOUR AND EMPLOYMENT SECRETARIAT,
FORT ST. GEORGE, CHENNAI 600 009.**

C.C. to M/S.C.PRABHU Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order

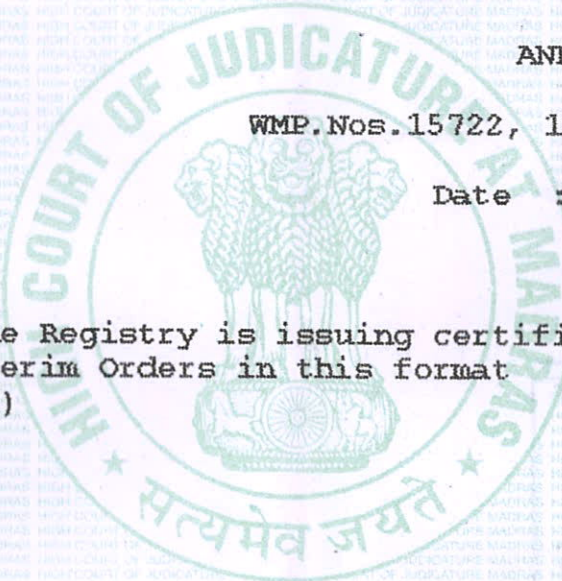
**in
WP.Nos.15911, 15920 & 16549 of 2019**

AND

WMP.Nos.15722, 15728 & 16186 of 2019

Date :24/06/2019

**From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format.
RRI 24/06/2019 (IT)**



**HIGH COURT OF JUDICATURE
MADRAS**

S. R. No. 7826

Carbon Copy application
made 24/6/2009

Application Returned.....200

Application Represented.....200

Copy made ready 24/6/2009

Copy delivered 25/6/2009

25/6/09

[Signature]
Section Officer
C.C.C. Section

11/11

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CI 007837

SECRETARY
OFFICE OF THE REGISTRAR
AND EMPLOYMENT REGISTRAR
ST. GEORGE'S CHURCH 600 002

Advocate on payment of necessary charges
The Government Advocate, High Court, Madras

Order

W.M. No. 15011, 15250 & 15251 of 2019

AND

W.M. No. 15122, 15123 & 15124 of 2019

Date: 24/06/2019

of the Interim Orders in the form
of the Registry is being certified