



REV.APLC(MD)No.31 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE K.MURALI SHANKAR**

REV.APLC(MD)No.31 of 2023
in
W.A(MD)No.1575 of 2021

S.Krishnamoorthy

... Petitioner

vs.

1. Chairman/Director General of Police,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai-8.

2. The Member Secretary/Additional Director General of
Police, Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai-8.

... Respondents

PRAYER : Review Application filed under Order 47 Rule 1 read with Section 114 of the Civil Procedure Code, to review the judgment made in W.A(MD)No.1575 of 2021 dated 13.08.2021.

For Petitioner : Mr.M.Karthikeya Venkitachalapathy
For Respondents : Mr.Veera Kathiravan
Additional Advocate General



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ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

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Review is sought for on the ground that there was a defect in the stop clock which was used to calculate the running time. The petitioner was not selected since he could not complete running 400 meters within 70 seconds as required by the rules. The petitioner challenged his non selection. The Writ Court dismissed the writ petition on the ground that it cannot go into the niceties or the technicalities of selection. The said order was challenged in W.A(MD)No.1575 of 2021. The Division Bench relying upon the judgment of the Full Bench in **W.A.No.8 of 2020 etc., batch dated 29.01.2020 [A.Parthiban and others vs. Tamil Nadu Uniformed Services Recruitment Board and another]**, on the question of selection, dismissed the appeal observing that a Writ under Article 226 for correcting every error may not ordinarily be maintainable when it involves factual disputes. However, an exception was carved out in cases where there is a patent factual error resulting in violation of legal or fundamental rights.



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R.SUBRAMANIAN, J.
and
K.MURALI SHANKAR, J.

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ORDER MADE IN
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