

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2015

CORAM:

THE HONOURABLE MR. SANJAY KISHAN KAUL, THE CHIEF JUSTICE
AND

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No. 25686 of 2015
and

M.P. No.1 of 2015

V. Vigneshwaran

... Petitioner

vs.

1. The Director General of Police
The Uniformed Services Recruitment Board,
Pantheon Salai
Egmore, Chennai - 600008.
2. The Chairman
The Uniformed Services Recruitment Board
Pantheon Salai, Egmore, Chennai - 600008.
3. The Member Secretary
The Uniformed Service Recruitment Board
Pantheon Salai, Egmore, Chennai - 600008.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records culminating in the Disqualification Order issued by the 2nd respondent bearing reference no C.No.R2/315/2015, dated 04.08.2015, quash the same and direct the 2nd respondent to conduct another endurance test for the petitioner by considering his representation dated 05.08.2015 and to permit the petitioner to participate in the Endurance Test.

[Prayer amended as per order dated 07.09.2015 in M.P.No. 2 of 2015 in W.P. No. 25686 of 2015].

For Petitioner : Mr. N. Azhagu Narayanan
for M/s. RRN LEGAL
For Respondents : Mr. P.H. Aravind Pandian
Additional Advocate General
assisted by Mr. S.T.S. Murthi,
Government Pleader,
Mr. V.R. Kamalanathan
Additional Government Pleader and
Mr. V. Shanmughasundar, Govt. Adv.

O R D E R
(Made by The Hon'ble The Chief Justice)

The petitioner, a departmental candidate, for recruitment to the post of Sub Inspector, has cleared the written test and being departmental candidate was required to undergo the Physical Endurance Test only for 1500 meters. He, admittedly, did not complete the task. It is not a case, where he has not completed the task within the stipulated time, but he is said to have collapsed even before reaching the line.

2. The excuse now given is that he was waiting since morning without any breakfast.

3. We cannot make this as an exception. The service condition of policemen requires physical strength and in fact, the petitioner is already a departmental candidate. All that can be said is that he appears to have had a bad day. But that factor cannot be converted into some sympathy by the Court coupled with his past performance to make some kind of exception.

4. We have, thus, no other option but to dismiss the writ petition. Ordered accordingly. We have also dealt with a similar case in Writ Petition No.26912 of 2015 by order dated 08.09.2015. No costs. Connected M.P. is Closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ATR

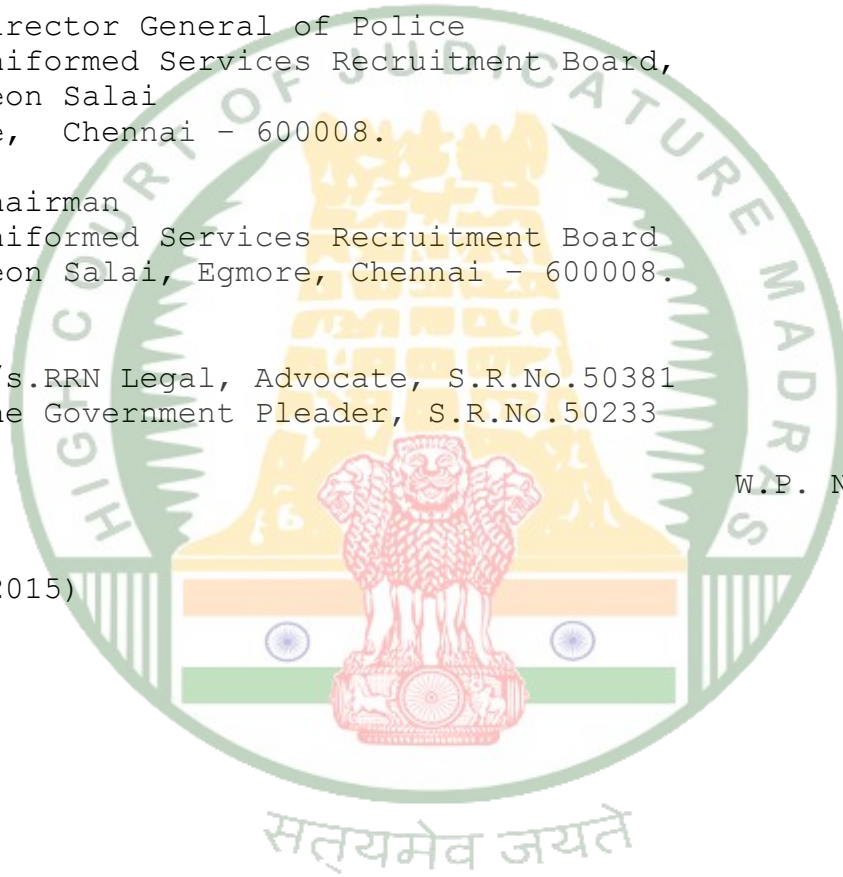
Copies to;

1. The Member Secretary
The Uniformed Service Recruitment Board
Pantheon Salai, Egmore, Chennai - 600008.
2. The Director General of police
Mylapore, Chennai-600 004.
3. The Director General of Police
The Uniformed Services Recruitment Board,
Pantheon Salai
Egmore, Chennai - 600008.
4. The Chairman
The Uniformed Services Recruitment Board
Pantheon Salai, Egmore, Chennai - 600008.

+1cc to M/s.RRN Legal, Advocate, S.R.No.50381
+1cc to the Government Pleader, S.R.No.50233

W.P. No. 25686 of 2015

RSK(CO)
CA(30/09/2015)



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