

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.26999 of 2015

and

M.P.Nos.1 and 2 of 2015

V.Suresh

.. Petitioner

-vs-

- 1.The Secretary to Government,
Home Department,
Fort St. George,
Chennai-9.
- 2.The Director General of Police,
Tamilnadu,
Dr. Radhakrishnan Salai,
Mylapore,
Chennai-4.
- 3.The Chairman, Sub Committee,
Tamil Nadu Uniformed Service Recruitment Board,
Chennai-8.
- 4.Nagarajan,
Joint Commissioner of Police,
Traffic South,
Chennai City Police,
Chennai-8.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records of the 3rd respondent in connection with the impugned orders passed by the 3rd respondent in C.No.R2/315/2015 dated 04.08.2015 (Enrolment No.5151003) and quash the same and direct the respondents to conduct a fresh endurance test for 1500 meters run and, permit the petitioner to participate in the subsequent stage of selection.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.P.H.Arvinth Pandian
Addl. Advocate General
assisted by
Mr.STS.Moorthy, Govt. Pleader
Mr.V.R.Kamalanathan, Addl. G.P.

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner has failed in the Physical Endurance Test. There are two reasons on which the petitioner seeks to assail the results of the Physical Endurance Test:-

- (i)that the ground was not in a good condition;
- (ii)that at the time of taking the Physical Endurance Test, the photograph of the petitioner was not available in the record and that took some time and thus, the petitioner was waiting at the Venue for some time, which affected his performance.

2. In so far as the second grievance is concerned, the net result was that the petitioner had to wait for some time. It is not as if all candidates would run at the same time and thus, the candidates who have assembled for a day, will have to wait atleast for some time when the test takes place.

3. The first aspect is covered by our order in W.P.No.26912 of 2015, decided on 08.09.2015, where we have observed as under:-

"The petitioner having failed in the Physical Endurance Test, now seeks to make excuses that the condition of the ground is very bad.

2.We are not inclined to exercise the jurisdiction under Article 226 of the Constitution of India.

3.The writ petition is dismissed. No costs. Consequently, M.P.Nos.1 and 2 of 2015 are closed."

4. We are, thus, not inclined to entertain this writ petition

and the same is dismissed. No costs. Consequently, M.P.Nos.1 and 2 of 2015 are closed.

-s/d-

Assistant Registrar(CSII)
dt:28/09/2015

True Copy

Sub-Assistant Registrar

bbr

To

1.The Secretary to Government,
Home (Police) Department,
Fort St. George, Chennai-9.

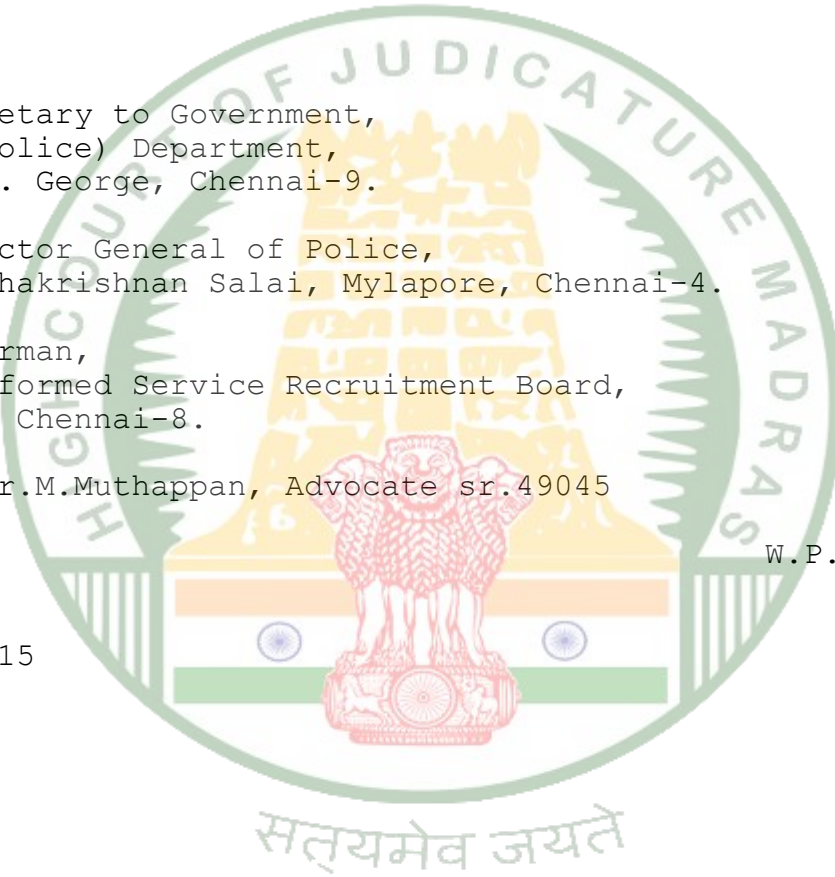
2.The Director General of Police,
Dr. Radhakrishnan Salai, Mylapore, Chennai-4.

3.The Chairman,
T.N.Uniformed Service Recruitment Board,
Egmore, Chennai-8.

+1 cc to Mr.M.Muthappan, Advocate sr.49045

W.P.No.26999 of 2015

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