

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2015

CORAM:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 30245 of 2015

N. Suresh

.. Petitioner

vs.

1. The Additional Director General of Police
Tamil Nadu Uniformed Services
Recruitment Board
Pantheon Road, Egmore Chennai-8.
2. The Inspector General of Police
Tamil Nadu Uniformed Services
Recruitment Board
Pantheon Road, Egmore, Chennai-8.
3. The Deputy Inspector General of Police
Kancheepuram Range, Kancheepuram.
4. Mr. P. Pagalavan
Superintendent of Police
Commercial Crime Investigation Wing-CID
SIDCO Old Corporate Officer
Thiru Vi Ka Industrial Estate
Guindy, Chennai-32.
5. The Superintendent of Police
Kancheepuram District at Kancheepuram.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to re-conduct the petitioner Endurance Test in respect of the selection of the post of Sub Inspector of Tamil Nadu Uniformed Services Recruitment Board vide Notification No.01 of 2015 in the interests of natural justice and also in the presence of Surveillance & Monitoring of an Advocate Commissioner duly appointed by this Honourable Court.

For Petitioner : Mr. S. Mahendran
For Respondents : Mr. P.H. Aravind Pandian
Addl. Advocate General
assisted by Mr. S.T.S. Murthi
Government Pleader.

O R D E R

(Made by The Hon'ble The Chief Justice)

We have perused the writ petition bundle in W.P. No.26444 of 2015, which says that the petitioner had withdrawn the petition in order to challenge the result of the Physical Endurance Test. Thus, there is no issue qua the maintainability of this petition.

2. The grievance of the petitioner is that in the Physical Endurance Test for the recruitment as Sub Inspector of Police, he had completed the 1500 meters race within the stipulated time of 7 minutes and that the respondents were seeking to penalise him on account of other litigation which he was having with the Department, the petitioner being a departmental candidate.

3. The video recording of the time has been produced before us, which shows that the petitioner completed the 1500 meters race in 7.28.8 seconds i.e., he completed with a delay of 28.8 seconds. Learned counsel for the petitioner has also perused the above video recording. On the petitioner completing the race, the time is read out from the stop watch. It is interesting to note that the difference is not some fraction of a second and there were people ahead of the petitioner, who also did not qualify and some of them almost walk to the final length. Thereafter, the petitioner arrived at the scene. We have, thus, no doubt that unfortunately the petitioner could not meet the timing requirement.

4. We are, thus, not inclined to exercise the jurisdiction under Article 226 of the Constitution of India. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

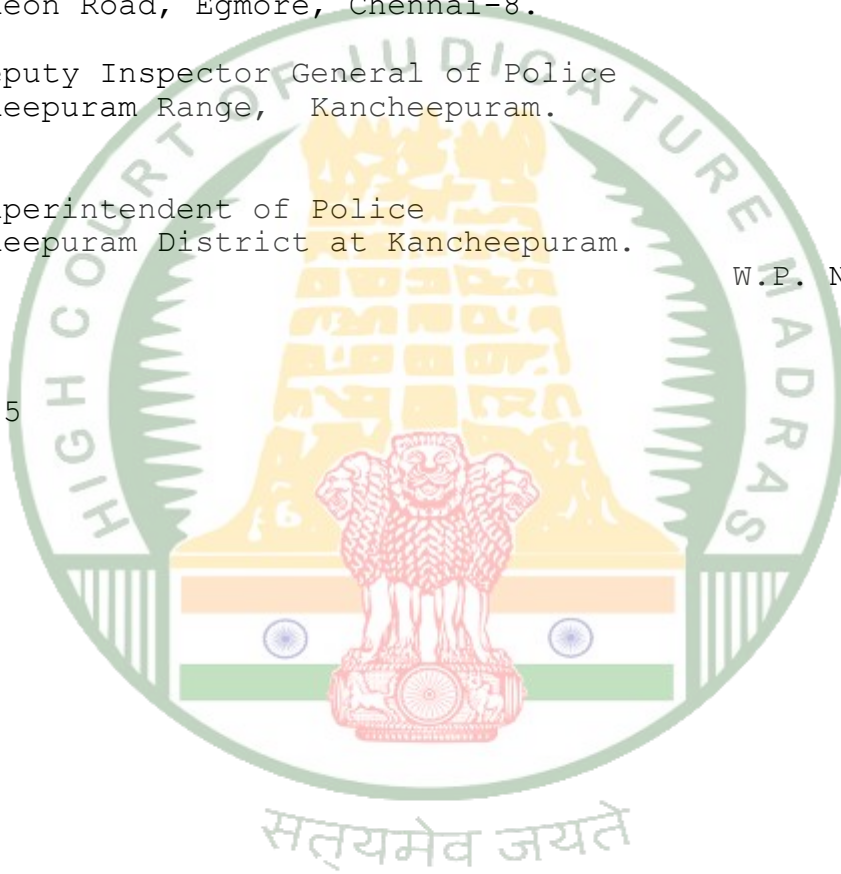
ATR

Copies to;

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W.P. No. 30245 of 2015

MP (CO)
Eu 08.10.15



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