



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2015

Coram

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.16812 of 2015

S.N.Rajesh

: Petitioner

vs.

The Chairman,
Sub Committee,
Tamil Nadu Uniformed Services
Recruitment Board,
Tirunelveli.

: Respondent

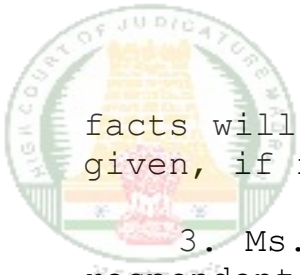
Prayer: Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in C.No.R2/315/2015, dated 05.08.2015 in enrollment No.4004711 issued by the respondent and quash the same and consequently direct the respondent to re-conduct the event of long jump to the petitioner.

For Petitioner : Mr.V.Angusamy
For Respondent : Mr.S.Bharathi
Govt.Advocate

ORDER

This Writ Petition has been filed by Mr.S.N.Rajesh, challenging the impugned communication, dated 05.08.2015, disqualifying the petitioner for the post of Sub-Inspector of Police, on the ground that he had failed in the long jump test.

2. Mr.V.Angusamy, learned counsel appearing for the petitioner assailing the impugned order submitted that after the petitioner has applied for the post of Sub-Inspector of Police (Taluk), conducted by the Tamil Nadu Uniformed Service Recruitment Board, as per the Notification No.1 of 2015, dated 08.02.2015, he was called for written examination. After qualifying in the written examination, he was issued with enrollment No.4004711 and thereupon, again called for to attend the physical test on 03.08.2015. The petitioner, after participating in the physical measurement, endurance test and rope climbing, was permitted to take part in the long jump test. When he took part in the long jump test, the Referee, who was standing near to the mark board, has wrongly given an indication to the selection board that the petitioner committed foul, when the petitioner has never committed any foul, as complained by the Referee. If the video clipping is permitted to be played before this Court, the true



facts will be coming to light and therefore, a direction should be given, if needed.

3. Ms.Bharathi, learned Government Advocate appearing for the respondent submitted that in a similar circumstances, when a disqualifying candidate, who applied for the post of Sub-Inspector of Police, in terms of Notification, dated 08.02.2015, also met with a same result of foul play in the long jump, this Court refused to entertain the writ petition on the ground of delay by dismissing the same. As against that, when the said order was challenged before the Hon'ble Division Bench, the same was also dismissed, confirming the dismissal order. Therefore, the writ petition filed belatedly, cannot be entertained.

4. The petitioner took part in the written examination after securing more than the cut-of mark. He was allowed to participate in the physical test on 03.08.2015. Subsequently, he also participated in the long jump on 05.08.2015, but he was not found qualified. Therefore, the impugned communication has been issued on 5.08.2015. Keeping quite for more than one month, the petitioner has approached this Court. In the meanwhile, the Selection Board, who conducted all the written test, physical test had wound up the entire process. In view of that, this Court in a similar circumstances, refused to entertain the writ petition on the ground of delay. Besides, the petitioner failed in the long jump test, hence, not qualified to become Sub-Inspector of Police.

5. Moreover, the impugned order was passed on 05.08.2015. It is not known why the petitioner has come to this Court challenging the impugned order belatedly. Therefore, this Court is not inclined to entertain the belated prayer. Hence, the writ petition fails and the same is dismissed. No costs.

Sd/-

Assistant Registrar (Per.Admn)

/True Copy/

Sub Assistant Registrar

To
The Chairman,
Sub Committee,
Tamil Nadu Uniformed Services
Recruitment Board,
Tirunelveli.

+ 1 CC TO M/S.V.ANGUSAMY, ADVOCATE IN SR NO. 55220
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 55140