

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.08.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.21817 of 2017
and
W.M.P.No.22829 of 2017

B. Poornima ...Petitioner

Versus

The Chairman,
Tamilnadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai - 600 008. ...Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent to provide one more opportunity in the 100 meter run event, as had been done in the case of 200 meter run event and to consider the petitioner for selection to the post of Police Constable Grade-II.

For Petitioner: Mr.M.Gnanasekar

For Respondent: Mr.K.Venkata Raman
Addl. Advocate General-VII

(Assisted by) Mr.S.Gunasekaran

Addl. Government Pleader

ORDER

The relief sought for in this Writ petition is for a direction, directing the respondent to provide one more opportunity in the 100 meter run event as had been done in the case of 200 meter run event to consider the petitioner for selection to the post of Police Constable Grade-II.

2. The learned counsel appearing for the writ petitioner contended that pursuant to the notification issued by the respondent inviting application to the post of Grade-II Police

Constable in Tamil Nadu Uniformed Services, the writ petitioner submitted her application and participated in the written test. The writ petitioner has been selected in the written test and has received a call letter to participate in the physical measurement test/endurance test/physical efficiency test.

3. The learned counsel states that the petitioner had successfully passed in all the tests conducted by the respondent including long jump, high jump etc. and finally she participated in 100 meters run event. However, the writ petitioner was unable to succeed in the running event and accordingly, disqualified for selection. The respondent issued a disqualification slip in proceedings dated 09.08.2017 holding that the petitioner has taken 18 seconds to complete the 100 meters run and accordingly she was disqualified. The learned counsel appearing for the petitioner re-agitated that petitioner is an athlete and an opportunity has to be given to the petitioner to participate again in 100 meter run and she is much depressed due to the fact that she is an athlete and she can run fast. However, there is no provision for appeal provided in the instructions/brochure issued to the candidates regarding the recruitment process. This apart, it is a momental success always in respect of such athletic competitions and even a great athlete some times fail. That will not constitute a ground for the petitioner to request the Court to conduct the event once again. In the event of entertaining such claim, this Court will be flooded with writ petitions by number of candidates who failed in such manner and this Court has to grant relief to those persons also. Competition is an event and it is a momental success and there is no question of repetition. It is always open to the petitioner to compete in the next selection or in any other competitive process for various posts. The petitioner need not get discouraged from and out of the order passed by this Court in this petition. However, this Court wishes her best and participate in all subsequent recruitment processes and perform events with more efforts in all future recruitments.

4. With these observations, the petition stands dismissed. However, no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS III)

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Sub Asst. Registrar

To

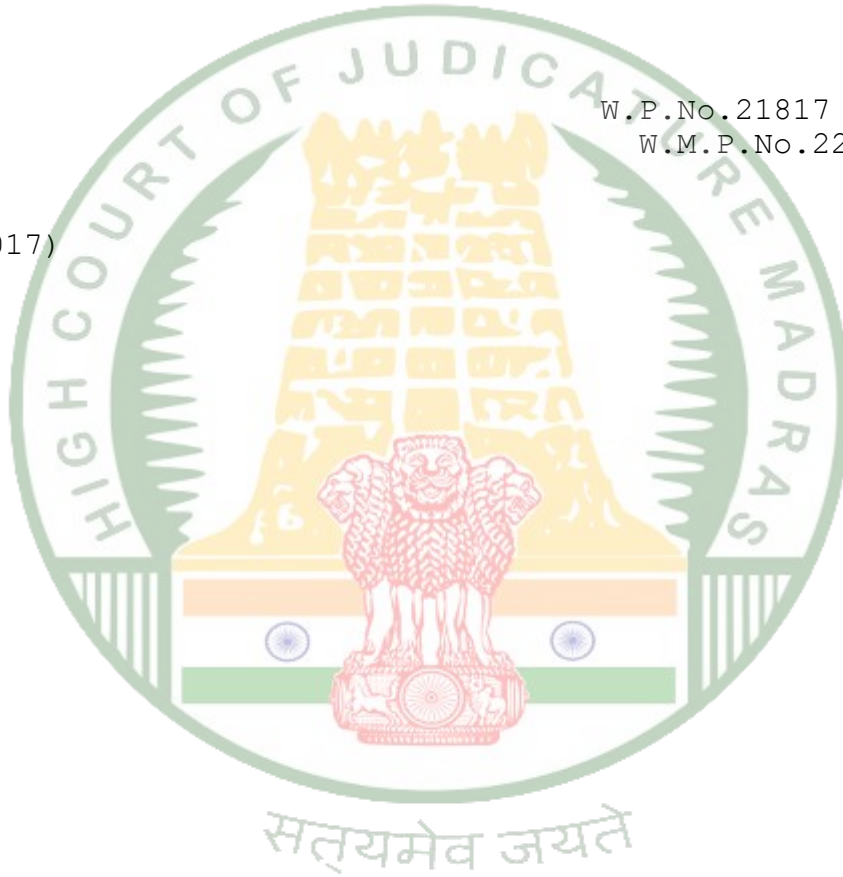
The Chairman,
Tamilnadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai - 600 008.

+1cc to Government Pleader sr.60193

+1cc to M/s.M.Gnanasekar, Advocate sr.59093

rsI(co)
ss(12/9/2017)

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