

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P. No. 22571 of 2017
and
W.M.P. No.23695 & 23696 of 2017

B. Karthick

..Petitioner

Vs.

The Member Secretary,
Tamil Nadu Uniformed Service
Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai-8.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to selection of the petitioner (E.No.0512220) to the post of Police Constable wherein this petitioner was disqualified vide Disqualification Slip in C.No.R2/150/2017, dated 10.08.2017, and quash the same and consequently direct the respondent to declare the petitioner herein as "Qualified" in Rope Climbing Test in the Common Recruitment for the post of Gr.II PC, Gr.II Jail Warders and Fireman, 2017 conducted by the Respondent/Tamil Nadu Uniformed Services Recruitment Board, (TNUSRB).

For Petitioner : Mr. S. Vediappan

For Respondents : Mr. K. Dhananjayan
Spl. Govt. Pleader

O R D E R

The order of disqualification, issued by the respondent, in proceedings dated 10.08.2017, is under challenge in this writ petition.

2.The learned counsel appearing for the writ petitioner submits that the writ petitioner has submitted his application, pursuant to the recruitment notification, issued

for the post of Grade-II Police Constable. The writ petitioner had successfully passed in the written examination and received a call letter, for participating in the Physical Measurement Test, Endurance Test and Physical Efficiency Test. The writ petitioner had participated in the test and succeeded in Physical measurement Test. Subsequently, in the event of rope climbing he has not crossed the minimum required length of 5 meters.

3.The learned Special Government Pleader appearing on behalf of the respondent contended that the writ petitioner has not crossed the minimum required length of 5 meters, in rope climbing. Accordingly, he was disqualified from the selection process and the orders also issued, to that effect, and hence, there is no irregularity in the process of selection.

4.The rope climbing, high jump, long jump, short put, 100 meters run and 400 meters run are all competitive events and it is for the recruiting agency, to adopt fair and transparent procedures to conduct the process of selection. Hence, this court cannot go into said procedure in this regard. Secondly, the reasonableness and the transparency are followed in the process of selection.

5.The learned Special Government Pleader has stated that the entire event has been videographed and further, there is no allegations of malpractice and corruption in the process of selection. If there is any specific allegations of malpractice in the process of selection, this court can interfere, with the manner in which, the said competitive tests were conducted, during the process of selection. As per the contention of the learned Special Government Pleader the writ petitioner has failed in the event of rope climbing and therefore there is no question of providing second chance, which is not contemplated in the selection procedure.

6.The learned counsel for the writ petitioner states that the videograph record may be verified and in the event of any discrepancy in the recorded videograph, the same may be considered. Therefore, it is submitted that the writ petitioner has crossed the minimum required length of 5 meters and therefore the same may be verified by the authorities, once again, in this regard. It is left open to the writ petitioner to submit a representation to the authorities concerned and the said authorities, on verification of the recorded videograph, find out as to whether the writ petitioner has crossed the minimum required length of 5 meters or not.

7. Accordingly, the writ petitioner is at liberty to send a representation to the respondent. The respondent may verify the videograph recordings, regarding rope climbing and communicate the same to the writ petitioner, within a period of two weeks. The writ petition stands disposed of. Consequently connected Miscellaneous Petitions are also closed. However, no order as costs.

Sd/-
Assistant Registrar(CS V)

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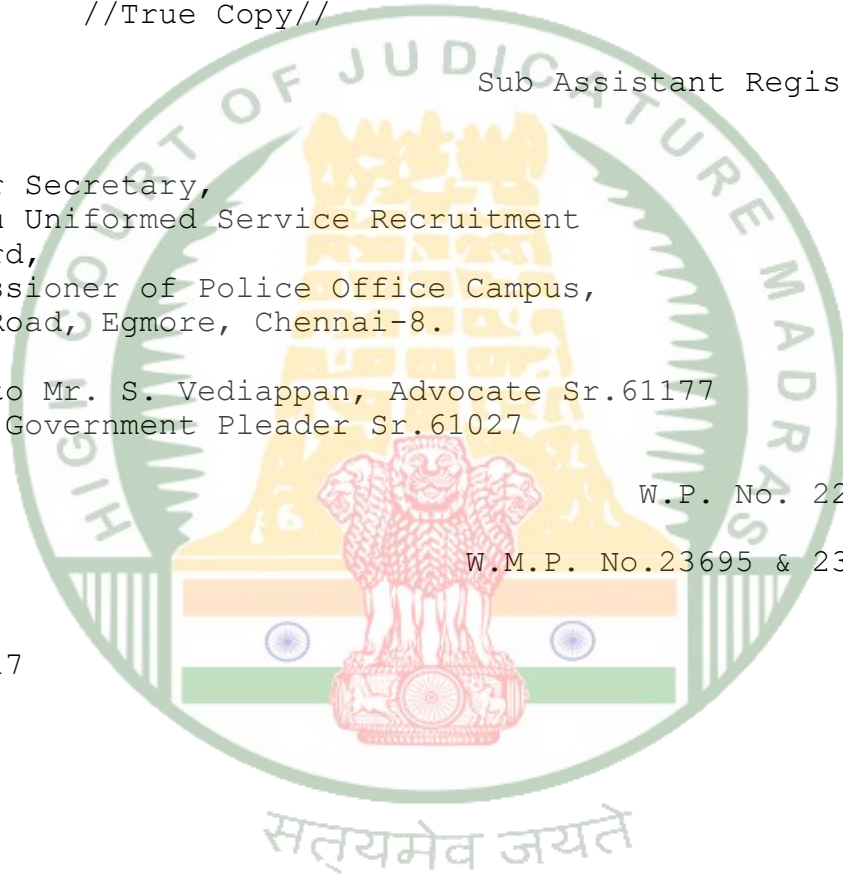
Sub Assistant Registrar

rpl
To
The Member Secretary,
Tamil Nadu Uniformed Service Recruitment
Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai-8.

+ 1 cc to Mr. S. Vediappan, Advocate Sr.61177
+ 1 cc to Government Pleader Sr.61027

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CS-V
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