



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 13.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A. (MD) No.1202 of 2017
and
C.M.P. (MD) No.8424 of 2017

R.Saranaya Devi

.. Appellant

Vs.

1. The Director General of Police,
Office of the Director General of Police,
Chennai.
2. The Member Secretary,
Tamil Nadu Uniform Service Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai.
3. The Chairman,
Sub Committee Member,
Tamil Nadu Uniform Service Recruitment Board,
Dindigul Centre.

.. Respondents

PRAYER: Writ Petition filed under Clause 15 of Letters Patent, to allow this writ appeal by setting aside the order passed in W.P.(MD) No.16258 of 2017 dated 29.08.2017 on the file of this Court.

Prayer in WP(MD)No.16258/2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 3rd respondent in his proceedings in C.No. R2/150/2017 dated 05.08.2017 quash the same and consequently direct the 3rd respondent to declare that result for the post of Grade II Police Constable / Grade II Jail Warden and Fireman.

For Appellant

: Mr.M.A.M.Raja

For Respondents 1 to 3

: Mr.B.Pugazhendhi,

Additional Advocate General

Assisted by Mr.A.K.Baskarapandian
Special Government Pleader

**JUDGMENT**

(Judgment of the Court was made by G.R.SWAMINATHAN, J)

This writ appeal is directed against the order dated 29.08.2017 dismissing W.P.(MD) No.16258 of 2017 filed by the appellant herein.

2.The appellant herein took part in the selection process for the post of Grade II Police Constable / Grade II Jail Warden and Fireman in the year 2017 conducted by the second respondent Board. The appellant was disqualified on the ground that she did not complete the assigned 100 meter running event within stipulated time, instead of taking 17.30 seconds, she took 17.82 seconds. The appellant challenged her disqualification slip by filing the said writ petition. It was dismissed. Aggrieved by the same, this intra court appeal has been filed.

3.Heard the learned counsel appearing for the petitioner and learned Additional Advocate General appearing for the respondents.

4.The appellant was disqualified and issued with disqualification slip as early as on 05.08.2017. But she filed W.P. (MD)No.16258 of 2017 only on 28.08.2017. The second respondent Board is on compulsion to conclude the entire process before 31.08.2017 as mandate by the Honourable Supreme Court. In such matters, there cannot be a delay in coming to the Court. Therefore, the learned Single Judge was right in dismissing the writ petition on the ground of laches.

5.That apart, we are of the view that it could not be possible for this Court to find out if the appellant completed the assigned 100 meter running event within a stipulated time, these are matters that are best left to the recruiting authority. It is not the case of the appellant that the persons in charge of monitoring the selection process were inimical towards her.

6.We cannot conduct an enquiry into such factual aspects, we find no ground to interfere. This writ appeal stands dismissed. No Costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar



To
1. The Director General of Police,
Office of the Director General of Police,
Chennai.

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

3. The Chairman,
Sub Committee Member,
Tamil Nadu Uniform Service Recruitment Board,
Dindigul Centre.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 78877

MRN/GSP

TE/GT/SAR-I : 21/11/2017 : 3P/5C

Order made in
W.A. (MD) No. 1202 of 2017 and
C.M.P. (MD) No. 8424 of 2017
13.09.2017