



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.14032 of 2017

and

W.M.P. (MD) No.10978 of 2017

N.Daisy

... Petitioner

Vs.

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

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to call the Petitioner for Physical Fitness test to be held on from 27.07.2017 to 29.07.2017 and subsequent Interview in the category of Schedule Caste Arunthathiyar Community (SC-A) or under sports quota and appoint her if she is eligible in the post of Grade II Police constable or Grade -II Jail warder of firemen in the Common recruitment of 15664 Grade-II Police Constable (M&W), Grade -II Jail Warder (M&W) and firemen - 2017.

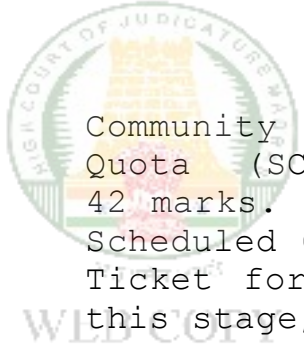
For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.B.Pugazhendhi,
Additional Advocate General

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

ORDER

The petitioner, having passed S.S.L.C, being a candidate for the post of Grade -II Police Constables / Grade-II Jail Warders / Fireman - 2017, belongs to Schedule Caste Arunthathiyar Community (SC-A), appeared in the written examination and crossed the cut off mark of 36 marks, fixed for her community, by securing 38 marks out of 80 marks. But she has not been issued with the Hall-Ticket to take part in the further round of test, because of the reason that she had not applied under Schedule Caste Arunthathiyar



Community (SC-A), but instead applied under Schedule Caste General Quota (SC-G), for which the cut off mark is fixed at 42 marks. As she did not meet the minimum cut off mark under the Scheduled Caste (General quota), she was not issued with the Hall Ticket for the Physical Fitness cum Endurance Test. It was at this stage, this writ petition came to be filed.

2.The learned Counsel for the petitioner contended that the petitioner belongs to Schedule Caste (Arunthathiyar) only and it was due to oversight, the category of the petitioner was mistakenly mentioned as Schedule Caste (General) instead of Schedule Caste (Arunthathiyar). In order to support her claim, a copy of the community certificate of the petitioner has been enclosed in the typed set of papers filed in support of the petition.

3.It was stated by the learned Additional Advocate General that the category of the petitioner has been mentioned as Schedule Caste (General) instead of Schedule Caste (Arunthathiyar) and as she did not score the required cut off marks in the written examination, specified for Schedule Caste (General), she has not been called for the subsequent round of tests.

4.Admittedly, the petitioner belongs to Schedule Caste (Arunthathiyar) community only and has cleared the minimum cut off marks specified for her community. In view thereof, when the matter was listed on 28.07.2017, this Court has passed the following order:

"...3.However, in order to meet the ends of justice, this Court directs the petitioner to appear before the authority concerned for the Physical Fitness Test on 29.07.2017 and if the petitioner is found fit, the same shall be placed before this Court for passing further orders in this matter."...

5.The respondent filed a detailed counter affidavit, stating that pursuant to the order of this Court dated 28.07.2017, they permitted the petitioner to participate in the Physical Fitness Test on 01.08.2017 and Physical Efficiency Test on 05.08.2017, wherein, the petitioner failed in the 100 mtrs running event, by covering the 100 mtrs in 18.50 seconds, instead of the required minimum time limit, i.e., 17.50 seconds. Therefore, the petitioner was disqualified and issued with a disqualification slip to that effect. It was further stated that the said disqualification slip was challenged before this Court in W.P(MD) No.15273 of 2017 and the same was dismissed by this Court on 22.08.2017.

<https://hcservices.courts.gov.in/hcservices/courts/judiciary/madras>
6.Since the petitioner miserably failed to utilise the opportunity afforded to her, by not performing well in the 100



mtrs running event, this Court is unable to pass any further orders in this writ petition and the same stands dismissed accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

WEB COPY

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Spl.Government Pleader Sr.No.75783

GK

VB/GT/SAR3/26/09/2017/3P/3C

W.P. (MD) No.14032 of 2017
30.08.2017