



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
W.P(MD)No.14307 of 2017
and WMP No.11209/2017

WEB COPY

Kulusamuthu

... Petitioner

-vs-

1.The Member Secretary

Tamilnadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai.

2.The Sub Committee Chairman,

Tamilnadu Uniform Service Recruitment Board,
Tirunelveli District
Tirunelveli

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to condone the absent of the petitioner called by the 1st respondent for physical efficiency test and original certificate verification for common recruitment for the Gr.II Police Constable (men, women, third general), Gr.II Jail Warders (men and women and fireman for the year 2017), held up on 01.08.2017 and connectively directing the respondent to give opportunity to the petitioner for participating the physical efficiency test and original certificate verification for common recruitment for the Gr.II Police Constable (men, women, third general), Gr.II Jail Warders (men and women, and fireman for the year 2017), after her delivery period on the basis of considering her representation dated 27.07.2017.

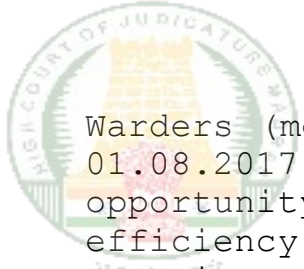
For Petitioner : Mr.B.Anandan

For Respondents : Mr.B.Pugalendhi

Addl. Advocate General assisted by
Mr.A.K.Baskarapandian
Spl. Government Pleader

ORDER

The writ petition has been filed for a writ of mandamus to direct the respondents to condone the absent of the petitioner called by the 1st respondent for physical efficiency test and original certificate verification for common recruitment for the Gr.II Police Constable (men, women, third general), Gr.II Jail



Warders (men and women and fireman for the year 2017), held up on 01.08.2017 and connectively directing the respondent to give opportunity to the petitioner for participating the physical efficiency test and original certificate verification for common recruitment for the Gr.II Police Constable (men, women, third general), Gr.II Jail Warders (men and women, and fireman for the year 2017), after her delivery period on the basis of considering her representation dated 27.07.2017.

2. Heard the learned counsel for the petitioner and Mr.B.Pugalendhi, learned Additional Advocate General assisted by Mr.A.K.Baskarapandian, Special Government Pleader for the respondents.

3. The learned counsel for the petitioner would submit that the petitioner is at the advanced stage of pregnancy and therefore, she is not able to take part in the Physical Efficiency Test. Hence, a direction is sought for to permit the petitioner to take part in the physical efficiency test, after her delivery.

4. Such an argument is wholly misconceived. If this kind of prayer is permitted, then, the selection process, at any point of time, would not be allowed to complete. Therefore, when the petitioner, even for the reason going beyond her hand, is unable to take part in the further selection process, the same cannot be put against the respondent Department. Secondly, it is her own case that she is unable to take part in view of her advanced pregnancy. Therefore, the petitioner cannot come to this Court, with the aforementioned prayer, at this stage.

5. Accordingly, the writ petition fails and the same is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The Member Secretary
Tamilnadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai.

2.The Sub Committee Chairman,
Tamilnadu Uniform Service Recruitment Board,
Tirunelveli District
Tirunelveli

+1cc to Special Government Pleader, SR.No. 69704

RR

MAS/JC/SAR3:16.08.2017:2P-4C

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01.08.2017



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