

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 18.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA**WP(MD)No.14871 of 2017****and****WMP(MD)Nos.11722 and 11723 of 2017**

S.Chinnathambi

... Petitioner

vs.

1)The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai-600 008.

2)The Chairman/Member,
Sub Committee,
Tirunelveli Centre,
The Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai-600 008.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent in pursuant to the impugned order passed by him in his proceedings RC.No.R2/150/2017 dated 04.08.2017 and quash the same as illegal and arbitrary and consequently direct the respondents to conduct physical efficiency test to the petitioner afresh by a qualified Physical Director for appointment to the post of Grade-II Police Constable for the year 2017 within the time limit that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.T.Lenin Kumar

For Respondents: Mr.B.Pugalendhi

Additional Advocate General assisted by

Mr.A.K.Baskarapandian, Special Government Pleader

ORDER

The prayer in the writ petition is for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent in pursuant to the impugned order passed by him in his proceedings RC.No.R2/150/2017, dated 04.08.2017, to quash the same as illegal and arbitrary and consequently direct the



respondents to conduct physical efficiency test to the petitioner afresh by a qualified Physical Director for appointment to the post of Grade-II Police Constable for the year 2017 within the time limit that may be stipulated by this Court.

2. The impugned order has been questioned on the ground that during physical efficiency test, the petitioner's performance in respect of rope climbing test had not been measured properly, therefore, the impugned order is liable to be set aside.

3. Considering the said submission, this Court directed the learned Additional Advocate General to produce the videographs taken during selection to the aforementioned posts.

4. Today, when the matter was taken up for hearing, the videographs in respect of petitioner's performance regarding rope climbing test has been displayed before this Court in the presence of the petitioner and his counsel. From the video clipping/recording, I am not satisfied with the assessment made by the officer concerned to disqualify the petitioner in the rope climbing. I am able to see that the petitioner is not taking any support either from his thigh or his feet.

5. A perusal of the procedure for conduct of rope climbing also states that the candidates have to climb rope using their hands only and they should not use their feet or any other parts of the body while climbing on the rope. A careful perusal of the videographs displayed before this Court also clearly shows that the petitioner has not used his feet or any part of his body, therefore, the respondents are directed to permit the petitioner to again take part in the rope climbing test and thereafter proceed further.

Accordingly, this Writ Petition stands allowed and the impugned order is set aside. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1) The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai-600 008.



2) The Chairman/Member,
Sub Committee,
Tirunelveli Centre,
The Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai-600 008.

+1cc to M/S. T.LENIN KUMAR, Advocate, SR.No.73255.

+1cc to Special Government Pleader, SR.No.73656.

WP (MD) No.14871 of 2017
18.08.2017

nbi

SDS/SV:MMS/SAR 2/23.08.2017/3P/5C