

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

DATED : 22.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA**W.P. (MD)No.14986 of 2017****and****W.M.P. (MD)Nos.11811 and 11812 of 2017**

R.Agastin

... Petitioner

Vs.

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Chennai-4.
2. The Chairman,
The Tamil Nadu Uniformed Services,
Recruitment Board,
No.807,Sengalvarayan Naicker Building,
Anna Salai,
Chennai-600 002.
3. The Deputy Inspector General of Police,
(Recruitment Sub-Committee, Tirunelveli Centre)
Madurai Range,
Madurai.

... Respondents

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 relating to the impugned order passed by the 3rd respondent in RC.No.R2/150/2017 dated 04.08.2017 with respect to the petitioner Enrolment No.3014441 and quash the same and consequently direct the 2nd and 3rd respondents to conduct fresh Physical Efficiency Test(i) Rope Climbing to the petitioner and also direct the 2nd and 3rd respondents to conduct the remaining others Physical efficiency test and further direct the respondents to permit the petitioner to participate in the subsequent stage of the selection for the post of Grade II Police constables (Men, Women & Third Gender), Gr.II Jail Warders(Men & Women) and Firemen for the year 2017.

For Petitioner : Mr.M.Jeadeesh Pandian

For Respondents : Mr.B.Pugazhendhi

Additional Advocate General

Assisted by Mr.A.K.Baskara Pandian,
Special Government Pleader.

**O R D E R**

By consent of both parties, this writ petition itself is taken up for final disposal.

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2.The petitioner, having passed S.S.L.C, applied for the post of Grade -II Police Constables / Grad-II Jail Warders / Fireman - 2017, when applications were called for by the respondent Police Department. Subsequently, after passing the written examination, the petitioner was called for for the Physical Endurance Test.

3.Now, the grievance of the petitioner appears to be that the respondents have not seen him properly while climbing on the rope. As a result, he has been found disqualified.

4. In view thereof, when the matter was earlier listed before this Court, this Court directed the respondents to produce the video recordings taken at the time of measurement.

5. As per the said direction, the learned Additional Advocate General appearing for the respondents Police Department produced the video recordings and the same was played before me in the presence of the learned counsel on either side and also the petitioner.

6.From the video recording played before me, I am not able to find any ground to disqualify the petitioner. He has claimed the rope upto 5 metres point and he is also able to place his cheek on the first ribbon point, however, he was disqualified. Hence, the respondent Nos. 2 and 3 are hereby directed to give one more chance to the petitioner.

7. With the above direction, the Writ Petition stands allowed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1. The Director General of Police,
Dr.Radhakrishnan Salai,



2. The Chairman,
The Tamil Nadu Uniformed Services,
Recruitment Board,
No.807, Sengalvarayan Naicker Building,
Anna Salai,
Chennai-600 002.

3. The Deputy Inspector General of Police,
(Recruitment Sub-Committee, Tirunelveli Centre)
Madurai Range,
Madurai.

+1cc to Special Government Pleader, SR.No.74282.

W.P. (MD) No.14986 of 2017
and

W.M.P. (MD) No.11812 of 2017
22.08.2017

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