



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

WEB COPY

W.P.(MD)No.16026 of 2017

and

W.M.P.(MD)Nos.12687 and 12688 of 2017

S.Ratheesvaran

... Petitioner

Vs.

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

2.The Chairman
The Tamil Nadu Uniformed
Service Recruitment Board,
807 Sengalvarayan Naicker Building, Anna Salai,
Chennai - 600 002.

3.The Deputy Inspector General of Police
(Recruitment Sub Committee, Madurai 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 to call for the records relating to the impugned order passed by the 3rd respondent in R.C.No.R2/150/2017 dated 08.08.2017 with respect to the petitioner Enrolment No.2428097 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.S.PalaniVelayutham

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 sides, this writ petition itself is taken up for final disposal.



2.The petitioner, having the requisite educational qualifications, applied for the post of Grade - II Police Constables / Grade-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 wrongly disqualified the petitioner in the rope climbing rest.

4.The learned counsel for the petitioner would submit that the petitioner climbed the rope. As per the Rules, the petitioner should climb the rope upto five meters to acquire one star. The learned counsel would submit that the petitioner climbed beyond the required five meters and placed his chin on the first mark and after noticing the same, the officials have informed the petitioner that he failed in the rope climbing test citing the reason that his thigh touched the rope. However, the petitioner knowing pretty well that he has not committed any foul play appealed to the 2nd respondent, who was present on the spot to show the video recording. On verification, it was found that he has successfully climbed without any error and therefore, the learned counsel for the petitioner, on this basis, sought for interference.

5. The learned Special Government Pleader submitted that the petitioner was found disqualified way back on 08.08.2017 and when similarly placed persons came to this Court, this Court, considering their genuine grievance, issued directions in several cases and the respondents are also complying with the directions issued by this Court. Finally, a second test is being organised. It is their further case that since the petitioner has come to this Court at the last minute, they are not in a position to produce the video recording.

6. This Court finds justification on the part of the respondents for not permitting the petitioner for retest. The reason is that the petitioner has come to this Court at the last minute and therefore, this writ petition fails and the same is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar



To

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

2.The Chairman
The Tamil Nadu Uniformed
Service Recruitment Board,
807 Sengalvarayan Naicker Building, Anna Salai,
Chennai - 600 002.

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

+1cc to M/S.S.PALANI VELAYUTHAM, Advocate SR.No.75176

+1cc to Special Government Pleader, SR.No. 74572

RR

MAS/SKN-RSK/SAR2:12.10.2017:3P-6C

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