



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

WP(MD)No.16255 of 2017

and

WMP(MD)Nos.12927 and 12928 of 2017

S.Balamurugan

... Petitioner

vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Secretariat,
Chennai.

2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road,
Egmore,
Chennai.

3.The Director General of Police,
Santhome,
Chennai.

4.The Chairman,
Recruitment Sub-Committee,
Dindigul Centre,
Dindigul District.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned disqualification slip issued by the fourth respondent in his proceedings in C.No.R2/150/2017, dated 02.08.2017 and quash the same as illegal and consequently, to direct the respondents to permit the petitioner to undergo further selection process in pursuance of the physical measurement tests in respect of the recruitment for the posts of Grade-II Police Constables [Men, Women and Third Gender], Grade - II Jail Warders [Men and Women] and Firemen for the year 2017.

For Petitioner : Mr.C.M.Marichelliah Prabhu

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 relating to the impugned disqualification slip issued by the fourth respondent in his proceedings in C.No.R2/150/2017, dated 02.08.2017 and quash the same as illegal and consequently, to direct the respondents to permit the petitioner to undergo further selection process in pursuance of the physical measurement tests in respect of the recruitment for the posts of Grade-II Police Constables [Men, Women and Third Gender], Grade - II Jail Warders [Men and Women] and Firemen for the year 2017.

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, Mr.B.Pugalendhi, learned Additional Advocate General fairly submitted that while viewing the videographs in respect of the petitioner's performance regarding rope climbing test in his office, he could see that the petitioner was able to reach upto 5.0 mts and secondly, as per the Rules, he has rightly placed his chin on the point marked at the end of 5.0 mts, therefore, the petitioner may be declared as passed in the rope climbing test. However, the said videogrphs has been re-played before this Court in the presence of the petitioner, his counsel and a representative of the Department. 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 test. I am able to see that the petitioner was able to reach upto 5.0 mts and secondly, as per the Rules, he has also rightly placed his chin on the point marked at the end of 5.0 mts., therefore, the respondents are directed to permit the petitioner to take part in the further selection process.

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

Sd/-

Assistant Registrar

/True copy/



To

1.The Secretary to Government of Tamil Nadu,
Home Department,
Secretariat,
Chennai.

2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road,
Egmore,
Chennai.

3.The Director General of Police,
Santhome,
Chennai.

4.The Chairman,
Recruitment Sub-Committee,
Dindigul Centre,
Dindigul District.

+1cc to Mr.C.M.MARI CHELLAIAH PRABHU, Advocate, SR.76037

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01.09.2017

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