



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 07.09.2018

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P (MD) No.19411 of 2018

and

W.M.P (MD) Nos.17252 and 17253 of 2018

Rajkumar

.. Petitioner

Vs

1.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Chennai -08.

2.The Chairman,
The Sub-Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Trichy.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the second respondent made in C.No.R2/5474/2018, dated 4.9.2018 and to quash the same and consequently direct the respondents to permit the Petitioner to participate in the Physical Efficiency Test and Re-conduct the 1500 metre running after 15 days insofar as the Petitioner is concerned.

For Petitioner : Mr.K.Govindarajan
For Respondents : Mr.K.Chellapandian
Addl.Advocate General
assisted by
Mr.A.K.Baskarapandian
Special Govt Pleader

ORDER

The Petitioner has come forward with this Writ Petition seeking to quash the proceedings of the second respondent made in C.No.R2/5474/2018, dated 4.9.2018 and to quash the same and



consequently direct the respondents to permit the Petitioner to participate in the Physical Efficiency Test and Re-conduct the 1500 metre running after 15 days insofar as the Petitioner is concerned.

2. Heard Mr.K.Govindarajan, learned counsel for the Petitioner and Mr.K.Chellapandian, learned Additional Advocate General (assisted by Mr.A.K.Baskarapandian, learned Special Government Pleader) appearing for the respondents. By consent of both parties, the main Writ Petition is taken up for final disposal at the admission stage itself.

3.The Petitioner has come forward with this Writ Petition challenging the order dated 4.9.2018, holding that the Petitioner was disqualified in 1500 metres running and the reason is that the Petitioner has met with a minor accident while he was riding his two-wheeler and sustained injury and hence he was disqualified from the selection process and in the Disqualification Slip, it has been mentioned that the Petitioner completed 1500 metres running in 7 minutes and 11 seconds, which is 11 seconds more than the given time. The Petitioner has also admits that he could not do the 1500 metres running , since he met with a minor accident and sustained injury and after 15 days, he will do the same to the satisfaction of the Selection Committee. The Brochure/Instructions does not permit second innings for any candidates to repeat the selection process. If it is allowed, then all the non-selected candidates approach this Court in one way or other and in that process, there could not be any recruitment at all. Hence this Court is of the view that as the Petitioner has failed in the 1500 metres running and as such, the relief sought for by the Petitioner cannot be granted and as such the Writ Petition fails.

4.Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AD-I)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,



2.The Chairman,
The Sub-Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Trichy.

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+ 1 CC TO Mr.K.GOVINDARAJAN, ADVOCATE IN SR No. 83157
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 83119

VSN

TE/SV/SAR-2 : 23/11/2018 : 3P/5C

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