



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2018

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN**W.P. (MD) No.20562 of 2018**
AND WMP. (MD) NO.18307 OF 2018

Mahalakshmi

... Petitioner

-vs-

1. Tamil Nadu Uniformed Services Recruitment Board
Rep. by its Chairman,
Anna Salai, Chennai-600 002.
2. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
No.807, P.T.Lee. Chengalvaraya Naicker Maaligai,
Anna Salai, Chennai-2.
3. The Chairman,
Sub Committee,
Tirunelveli District,
Tirunelveli.
4. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for records relating to the order passed by the 3rd respondent vide C.No.R2/5474/2018 dated 06.09.2018 and quash the same as illegal and consequentially direct the respondents to conduct 100 meter running test to the petitioner afresh by a qualified Physical Director.

For Petitioner : Mr.S.Selvakumar
For Respondents : Mr.K.Chellapandian
Addl. Advocate General
Assisted by Mr.A.K.Baskara Pandian
Spl.Govt.Pleader

O R D E R

This petition has been filed, seeking to quash the order passed by the 3rd respondent vide C.No.R2/5474/2018 dated 06.09.2018, by which the petitioner was disqualified on the ground that She did not complete the 100 metre running in time. The petitioner also sought a direction to the respondents to conduct 100 meter running



test to the petitioner afresh by a qualified Physical Director.

Brief Facts:

2. The case of the petitioner is that she is a B.B.A. graduate and pursuant to the notification dated 28.12.2017, has applied for the post of Grade II Police Constables/Grade II Jail Warders/Firemen for the year 2017-2018;

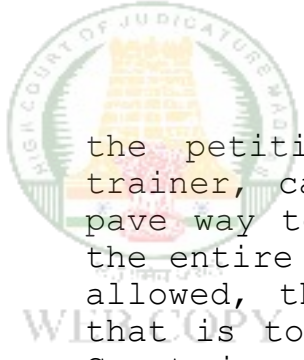
2.1. Though she has participated in the physical measurement test conducted by the 2nd respondent and cleared the test successfully, her candidature in respect of the next level of test, namely, 100 metre running, was rejected on the reasoning that she reached the destination at 18.03 seconds instead of prescribed seconds of 17.50. When she made an appeal to the 2nd respondent for conducting the measurement afresh by a qualified person, the appeal was refused to be entertained by the 2nd respondent. Aggrieved by the same, she is before this Court with the relief stated supra.

3. Learned counsel for the petitioner has strenuously contended that the Physical Efficiency Test was not conducted in proper manner with the help of a qualified person. He has further contended that in the previous year's selection, she was disqualified only in the long jump, whereas the present disqualification was on account of the failure in 100mtr running, as the qualification of the person, who conducted the race, was highly doubtful. Hence, it is prayed to set aside the order rejecting her candidature with the consequential direction to the respondents conduct the running test afresh by a qualified Physical Director.

4. Per contra, learned Additional Advocate General appearing for the respondents would submit that it is mandatory on the part of the petitioner to produce the destitute widow certificate, when she has applied for the post under the said quota. There were several rejections by the respondents on the ground of non production of required certificates and if the petitioner is permitted to participate in the selection process without required certificate, it will create a bad precedent to others, who would also approach this Court for consideration even without producing requisite documents. Therefore, it is prayed that this petition is devoid of merits and the same is liable to be dismissed.

5. Heard the learned counsel for the petitioner and the Additional Advocate General appearing for the respondents. This Court also perused the material documents available on record.

6. It is not in dispute that the petitioner has to complete the 100 meters running in 17.5 seconds, but to the contrary, she has completed it in 18.3 seconds. When there are certain instructions / norms / qualification prescribed to compete other in the selection in respect of running in 17.5 seconds, it has to be by and large ~~Service Rules Govt. of Madras~~ to be fully qualified for the post. In the present case on hand, admittedly, the petitioner has not reached the destination in the prescribed time limit and therefore, the plea of



the petitioner to conduct the test once again by a qualified trainer, cannot withstand. Further, such course of adoption would pave way to opening of Pandora's box, which may result in bringing the entire selection process to a standstill and If this practice is allowed, then there will not be any end to the selection process, that is to say, there cannot be any selection at all. Hence, this Court is of the view that the petitioner is not entitled to the relief sought for in this Writ Petition and the order of the 3rd respondent does not warrant any interference by this Court.

7. In fine, this writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS IV)

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To:

1. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board
Anna Salai, Chennai-600 002.
2. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
No.807, P.T.Lee. Chengalvaraya Naicker Maaligai,
Anna Salai, Chennai-2.
3. The Chairman,Sub Committee,
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4. The Superintendent of Police,
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1CC TO THE SPL GOVT PLEADER SR 88098

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