

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :26.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.32956 of 2019
&
W.M.P.No.33393 of 2019

Mrs.M.Devi

.. Petitioner

Vs.

1.The State of Tamilnadu
Represented by its Principal Secretary,
Home Department, Secretariat,
Chennai - 600 009.

2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore, Chennai - 600 008.

3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore, Chennai - 600 008.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus, to
direct respondents to permit the petitioner to participate in
the physical examination going to held in the year 2019 and
subsequent year.

For Petitioner : Mr.Mohamed Hasain

For Respondent 1 : Mr.R.S.Selvam
Government Advocate

For Respondents 2 & 3: Mr.V.Kadirvelu
Special Government Pleader

O R D E R

The prayer sought for in this Writ Petition is to direct
respondents to permit the petitioner to participate in the
physical examination going to held in the year 2019 and
subsequent year.

2. By consent of both the parties the Writ Petition has been taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that she had participated in the selection process for the recruitment of Grade - II Police Constable and Grade - II Jail Warder for the year 2017 - 2018. The petitioner appeared in the Written examination and come out successful. It is her further case that she got married in the year 2018 and was under the pregnancy period. In the meanwhile, the petitioner received an intimation letter from the 3rd respondent to attend the physical fitness examination on 05.09.2018 at Tiruchy. Since the petitioner was pregnant, she could not attend the physical fitness examination. Thereafter, on 02.10.2019 the petitioner made a representation to the 3rd respondent claiming that, now she is physically fit and requesting to allow her to participate in the physical fitness examination. However, till date the said representation was not considered. Therefore, the present Writ Petition has been filed.

4. The learned counsel for the petitioner would submit that it would be suffice to issue direction to the respondents to consider and dispose of the representation dated 02.10.2019 on merits and in accordance with law.

5. Mr.V.Kadirvelu, learned Special Government Pleader would submit that the petitioner belongs to Pudukottai district and the Physical fitness examination for that region was completed yesterday i.e. 25.11.2019 itself. Therefore, he would submit that the representation made by the petitioner cannot be considered at this stage. Accordingly, he sought for the dismissal of the Writ Petition.

6. Heard the counsel and perused the records.

7. The petitioner participated in the selection process for the recruitment of Grade - II Police Constable and Grade - II Jail Warder for the year 2017 - 2018 and come out successful in the written examination. Thereafter, she could not participate in the physical fitness examination due to her pregnancy. However, now the request made by the petitioner for allowing her to participate in the physical fitness examination cannot be extended to her alone since the physical fitness examination was already over on 25.11.2019.

8. Accordingly, the Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary,
State of Tamilnadu
Home Department, Secretariat,
Chennai - 600 009.

2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore, Chennai - 600 008.

3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore, Chennai - 600 008.

+1cc to Government Pleader SR.NO. 98933

W.P.No.32956 of 2019
&
W.M.P.No.33393 of 2019

pm(co)
nr 24/01/2020

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