



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.20000 of 2019

WEB COPY

M.Sithara

... Petitioner

vs.

1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
Home Department,
Secretariat, Chennai.

2.The Inspector General of Police/Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore, Chennai - 8.

3.The Director General of Police,
Tamil Nadu, Chennai - 4.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to consider the name of the petitioner for appointment to the post of Police Constable Grade-II for the year 2017-18 recruitment without considering the disqualification of the petitioner in the physical Efficiency Test as got fractured during long jump and by considering the petitioner's representation dated 31.07.2019 within the period stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.VR.Shanmuganathan,
Special Government Pleader.

ORDER

This Writ Petition is filed seeking for a Writ of Mandamus, to direct the second respondent to consider the name of the petitioner for appointment to the post of Police Constable Grade-II for the year 2017-18, without considering the disqualification of the petitioner in the physical Efficiency Test by considering her representation, dated 31.07.2019.

2.Mr.VR.Shanmuganathan, learned Special Government Pleader
<https://hservices.courts.gov.in/hservices/> accepts notice on behalf of the respondents.



3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4.According to the petitioner, since she is eligible for recruitment to the said post of Police Constable Grade - II, she applied for the same and passed in the written examination. After successful in the physical measurement endurance test, she was called for physical efficiency test and she completed 400 meters event. While she was participating in the event, viz., long jump, her leg fractured on 12.09.2018 and she was admitted in the Government Kilpauk Medical College Hospital by the authorities and due to the same, she could not participate in the subsequent event. Hence, the petitioner made a representation dated 31.07.2019 to the respondents to consider her appointment. Since the same has not been considered by the respondents so far, the petitioner has filed the present Writ Petition.

5.Mr.V.R.Shanmuganathan, learned Special Government Pleader submitted that the entire selection process is over, all the selected candidates were given training and now, the training is over. He further submitted that now it is not possible for the respondents to consider the representation of the petitioner, since subsequent notification has been issued on 06.03.2019, for filling up subsequent vacancy.

6.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

7.Considering the rival submissions of the learned counsel for petitioner and the learned Special Government Pleader for the respondents and also considering the fact that the entire selection process is over and now, it is not possible for the respondents to consider the representation of the petitioner, dated 31.07.2019, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

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

2.The Inspector General of Police/Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore, Chennai - 8.

3.The Director General of Police,
Tamil Nadu, Chennai - 4.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-87885[F] dated
19/09/2019)

+1 CC to M/s.SPL GP (SR-87909[F] dated 19/09/2019)

W.P (MD) No.20000 of 2019
18.09.2019

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