



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.12.2020

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THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.15563 of 2020

and

W.M.P. (MD) Nos.13068 & 13069 of 2020

WEB COPY

G.Ashna

...Petitioner

Vs

1.The Chairman,

Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai - 8.

2.The Member Secretary,

Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai - 8.

3.The Chairman,

Sub Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai - 8.

4.The Director General of Police,

Tamilnadu,
Chennai-4.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to quash the impugned disqualification slip passed by the 4th respondent vide his proceedings in C.No.R2/860/2019 dated 19.10.2020 and quash the same as illegal and consequentially to direct the respondents to conduct physical efficiency test afresh taking into account of the postponement physical efficiency test slated to be held on 17.10.2020 and 20.10.2020 within the period that may be stipulated by this Court.

For Petitioner

: Mr.C.Venkatesh Kumar

for M/s. Ajmal Associates

For Respondents

: Mr.K.Chellapandian

Additional Advocate General assisted by
Mr.K.Mu.Muthu

Additional Government Pleader



ORDER

Challenging the impugned disqualification slip issued by the 4th respondent in C.No.R2/860/2019, dated 19.10.2020 and for a direction to the respondents to conduct the physical efficiency test afresh, by taking into consideration of the postponement of physical efficiency test to be held on 17.10.2020 and 20.10.2020, the present writ petition has been filed.

2.The learned Counsel appearing for the petitioner would submit that the 1st respondent issued a notification, dated 08.03.2019, calling for applications from the eligible candidates for direct recruitment to the posts of Sub Inspector of Police (Taluk, Armed Reserve (Men and Women/Transgender) and Tamilnadu Special Police (Men)-2019). In pursuant to the aforesaid notification, the petitioner applied for the said post and successfully completed her written test. Thereafter, the petitioner was called for physical efficiency test held on 17.10.2020.

3.It is the main grievance of the petitioner that as instructed, the petitioner went for participating the physical efficiency test on 17.10.2020. But, there was heavy rain in and around the ground, due to which, the physical efficiency test scheduled on 17.10.2020 was postponed to 19.10.2020. On 19.10.2020, though the pitch was not justified to conduct the physical efficiency test, the petitioner was directed to participate in the physical efficiency test on the same day itself, due to which, she was not succeeded in the long jump competition and was rejected.

4.The learned Counsel would further submit that it is the duty of the respondents to provide all facilities to the candidates for participating the physical efficiency test in a feasible manner. A good long jumper needs both speed and power and the Athletes does a run up takes off and lands into the sand pit and as such if the candidates are unable to run with the required speed due to rain, they could not succeed in the long jump. He would therefore seek this Court that necessary directions may be issued to the respondents to conduct the physical efficiency test afresh.

5.Mr.K.Chellapandian, learned Additional Advocate General assisted by Mr.K.Mu.Muthu, learned Additional Government Pleader appearing for the respondents would submit that there was no rain on 19.10.2020 and therefore, the respondents have conducted the physical efficiency test. Though the petitioner has made an allegation as against the respondents that they have not postponed the physical efficiency test, which was conducted on 19.10.2020, to some other date, on account of bad whether, the fact remains that she also participated in the physical efficiency test (long jump competition) on the same day itself and was not succeeded. After



participating the physical efficiency test, without any *locus standi*, the petitioner has filed the present writ petition and due to her failure, she sought for postponement of physical efficiency test to some other date.

6. The learned Additional Advocate General would further submit that except the petitioner, 14 other candidates have participated in the long jump competition on 19.10.2020 and many of the candidates have successfully completed the long jump competition. He would further submit that totally 3 chances have been given to the petitioner. In the first chance, the petitioner jumped 2.58 mts., and in the second chance, she was fouled and in the third chance, she jumped 2.18 mts., only, which are not enough to qualify the long jump competition. The learned Additional Advocate General, therefore, would submit that the 4th respondent has rightly applied his mind and issued the impugned disqualification slip in C.No.R2/860/2019, dated 19.10.2020, which does not warrant any interference of this Court and therefore, the writ petition is ought to be dismissed.

7. Heard the learned counsel on either side and perused the materials available on record.

8. Admittedly, the petitioner was called for participating the physical efficiency test for the long jump competition on 19.10.2020 by the respondents. Though the petitioner along with 14 other candidates have participated in the long jump competition on 19.10.2020, the petitioner was not succeeded in the said competition, despite three opportunities have been given to her and many of the candidates have successfully completed and selected in the said competition. Therefore, this Court is not inclined to accept the contention of the petitioner that on account of heavy rainfall, the petitioner was unable to successfully complete the long jump competition.

9. In such circumstances, I do not find any merit in this writ petition and accordingly, the same is dismissed as devoid of merits. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

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/ /2021

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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Egmore,
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- 4.The Director General of Police,
Tamilnadu,
Chennai-4.

+1cc to M/s. Ajmal Associates, Sr.No.24815
+1cc to SPL GP SR.No.24842

W.P. (MD) No.15563 of 2020
08.12.2020

VB (05.01.2021) 4P 7C