



WEB COPY

WP(MD)No.25306 of 2019

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.25306 of 2019

and

W.M.P. (MD) No.21889 of 2019

T.Nagarajan

...Petitioner

Vs

1.The State of Tamilnadu,
represented by its Secretary,
Home Department,
Fort St.George,
Chennai, Tamilnadu.

2.The Director General of Police,
Tamilnadu, Santhome,
Chennai 600 004,
Tamilnadu.

3.The Tamilnadu Uniformed Services Recruitment Board,
represented by its Member,
Old Commissioner of Police office Campus,
Pantheon Road,
Egmore,
Chennai - 08,
Tamilnadu.

4. The Tamilnadu Uniformed Services Recruitment Board,
represented by its Chairman,
Madurai Centre,
Office of the Superintendent of Police,
Madurai District, Tamilnadu.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to consider the representation of the petitioner, dated 21.11.2019 and ascertain the facts from the electronic evidences kept in the office of the 4th respondent for the long jump event completed by the petitioner with the required distance and enable the petitioner to participate in the next stage of selection process.

For Petitioner
For Respondents

: Mr.K.Muthu Ganesa Pandian
: Mr.K.Chellapandian
Additional Advocate General
assisted by
Mr.K.Mu.Muthu
Additional Government Pleader



ORDER

This Writ Petition is filed to consider the representation of the petitioner, dated 21.11.2019 and to ascertain the facts from the electronic evidences kept in the office of the 4th respondent for the long jump event completed by the petitioner with the required distance, enabling him to participate in the next stage of selection process.

2.The learned counsel appearing for the petitioner would submit that the petitioner had participated in the recruitment process for the post of Police Constable Grade II, Jail Warden Grade II and Fire Man and after completing written examination successfully, he was permitted to participate in the physical efficiency test on 19.11.2019. On 19.11.2019, the petitioner participated in the physical efficiency test and in the long jump competition, he jumped 3.80 mtrs., which is the qualified distance in long jump, whereas, it was recorded as 3.76 mts., by the respondents. In this regard, the petitioner has made a representation dated 21.11.2019 to the 3rd respondent to make appropriate correction in the records, but the same has not been considered so far. Hence, the present writ petition.

3.During arguments, the learned counsel appearing for the petitioner would submit that appropriate direction may be issued to the respondents to provide the electronic evidences kept in the office of the 4th respondent for the long jump event completed by the petitioner, enabling him to participate in the next stage of selection process.

4.In reply, Mr.K.Chellapandian, learned Additional Advocate General assisted by Mr.K.Mu.Muthu, learned Additional Government Pleader, would fairly submit that in the long jump event, the petitioner has jumped 3.76 mts only and the petitioner has given a representation, dated 21.11.2019 to the 3rd respondent only for the purpose of making necessary correction in the records alone and not for producing the electronic evidences kept in the office of the 4th respondent for the long jump event completed by the petitioner. Therefore, he would submit that if the petitioner produces a fresh representation to the respondents to workout his remedy, the same will be considered on merits and in accordance with law.

5.Heard the learned counsel on either side and perused the materials available on records.

6.Admittedly, the petitioner has made a representation, dated 21.11.2019 to the 3rd respondent only for the purpose of making necessary correction in the records and not for the relief sought for in the prayer and that there is no necessity for issuing a direction to the respondents to consider the petitioner's



representation dated 21.11.2019. However, in view of the submission made by the learned Additional Advocate General appearing for the respondents, this Court is inclined to pass the following directions:-

i) the petitioner is directed to submit a fresh representation to the respondents to workout his remedy, within a period of two weeks from the date of receipt of a copy of this order; and

ii) on receipt of such representation, the respondents are directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of six weeks therefrom;

7. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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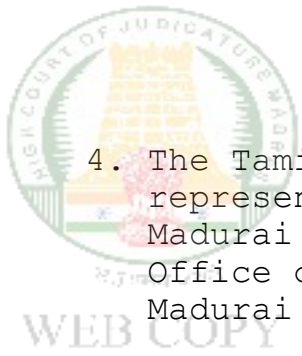
Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Secretary,
Home Department,
Fort St. George,
Chennai, Tamilnadu.

2. The Director General of Police,
Tamilnadu, Santhome,
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3. The Tamilnadu Uniformed Services Recruitment Board,
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4. The Tamilnadu Uniformed Services Recruitment Board,
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+1 CC to SPL GP (SR-24843[F] dated 10/12/2020)

W.P. (MD) No.25306 of 2019
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VB (23.12.2020) 4P 6C