



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:02.01.2020

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD) No.25452 of 2019

R. Meena

... Petitioner

/vs./

1. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner Office Campus,
Pantheon Road, Egmore, Chennai-600 008.

2. The Chairman / Member,
Sub Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records in connection with disqualification slip in Annexure - 9 in C.No.R2/850/2019 dated 21.11.2019 issued by the 2nd respondent and quash the same as illegal, consequently direct the respondents to give re-chance to the petitioner to complete 200 meters events, in pursuant of TNUSRB of combined recruitment for Grade-II Police Constable / Grade - II Warders / Firemen (Men & Women) for the year 2019.

For Petitioner : Mr. S.P. Vijay Nivas
For Respondents : Mr.K.Chellapandian
Additional Advocate General
assisted by Mr.R.Sethuraman
Special Government Pleader

ORDER

This Writ Petition has been filed to quash the impugned order in C.No.R2/850/2019, dated 21.11.2019 issued by the 2nd respondent and to direct the respondents to give re-chance to the petitioner to complete 200 meters events, in pursuant of TNUSRB of combined recruitment for Grade-II Police Constable / Grade - II Warders / Firemen (Men & Women) for the year 2019.

2. The Hon'ble Division Bench of this Court as well as this Court, in various orders, have refused to grant an order of re-test during the selection process for recruitment of Grade- II Police Constable, on the ground that this court cannot be a forum for ordering re-test.

3. The learned counsel appearing for the petitioner would submit that in view of the injury that had occurred in the race track, the petitioner was unable to complete the 200 Meters Race within the stipulated time of 30 Seconds.



4. Such a factual aspect cannot be gone into by this Court, while exercising the powers under Article 226 of the Constitution of India. However, since the petitioner contends that there was an injury caused during running in the 200 Meters event, it is always open to her to approach the respondents, seeking for a copy of the Video Clipping through the Right to Information Act (RTI) and on viewing the same, if the petitioner is of the view that the injury had occurred, which led to her disqualification, it is open to her to work out her remedy in accordance with law.

5. With the above observations, the Writ Petition stands closed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

trp

To

1. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner Office Campus,
Pantheon Road, Egmore, Chennai-600 008.
2. The Chairman / Member,
Sub Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Madurai.

+1 CC to M/s.SP.VIJAYNIVAS, Advocate (SR-117[F] dated 03/01/2020)
+1 CC to M/s.SPL.GP (SR-296[F] dated 06/01/2020)

Order made in
W.P. (MD) No.25452 of 2019
Dated: 02.01.2020

SMA/20/01/2020/2P/5C