

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 05.01.2021

CORAM:

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.23050 of 2005
and
W.P.M.P.No.25138 of 2005

P.Jhansirani

... Petitioner

Vs.

1. The Government of Tamilnadu
represented by the Home Secretary
Fort St. George, Madras -9.

2. The Director General of Police,
Mylapore, Madras - 4

... Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records in Na.Ka.No.022729/Appointment/3/2005-12 dated 21.02.05 on the file of the 2nd respondent and quash the said order and consequently direct the respondents to appoint the petitioner (P.Jhansirani) in the post of Woman Police Constable Grade II in Tamilnadu for which the petitioner was selected by the Authorities.

For Petitioner : Mr.A.P.Suryaprakasam

For Respondents : Mr.K.Magesh

Special Government Pleader

ORDER

The prayer sought for in this writ petition is to issue a writ of certiorarified mandamus to call for the records in Na.Ka.No.022729/ Appointment/3/2005-12 dated 21.02.05 on the file of the second respondent and quash the said order and consequently direct the respondents to appoint the petitioner (P.Jhansirani) in the post of Woman Police Constable Grade II in Tamilnadu for which the petitioner was selected by the Authorities.

2.Heard Mr.A.P.Suryaprakasam, learned counsel appearing for the petitioner, who would submit that, the petitioner had applied and participated in the selection process for Grade II Police Constable (Women) of the year 2002-2003 conducted by the respondents and after having successfully completed the written

examination, she was subjected to physical test and after physical test, the respondent passed the impugned order dated 21.02.2005, whereby, the candidature of the petitioner has been rejected on the ground that, she was not physically fit for the reason that "knock knees present", therefore, challenging the said order, the present writ petition has been filed with the aforesaid prayer.

3.Heard Mr.K.Magesh, learned Special Government Pleader, who would submit that, no doubt the petitioner had cleared the written examination, however insofar as the physical fitness of the petitioner is concerned, it is a must and therefore, the petitioner was tested the physical fitness, where, it was found that, "knock knees present" and therefore, since it is the basic infirmity in the physical fitness, which goes against the Rule 14(b)(i) of the Tamil Nadu Special Police Subordinate Service Rules, the petitioner's candidature has been rejected, hence, it does not require any interference from this Court.

4.I have considered the said submissions made by both sides and perused the materials placed before this Court.

5.As has been rightly pointed out by the learned Special Government Pleader appearing for the respondents, even though the petitioner has cleared the written examination, insofar as the physical fitness of the petitioner is concerned, she has not met the required physical fitness, as contemplated under the relevant rule, which has been quoted in the impugned order itself. Therefore, this Court feels that, a person, who wants to be selected in the uniformed service i.e., Police force, must be with all physical fitness and if there is any lack in physical fitness, it cannot be cured or rectified and therefore, the reasons stated in the impugned order for rejecting the candidature of the petitioner, in the considered opinion of this Court, is acceptable. Accordingly, the impugned order does not warrant any interference from this Court.

6.In view of the above, this writ petition deserves to be rejected, accordingly, it is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(cs vii)

//True Copy//

Sub Assistant Registrar

sgl

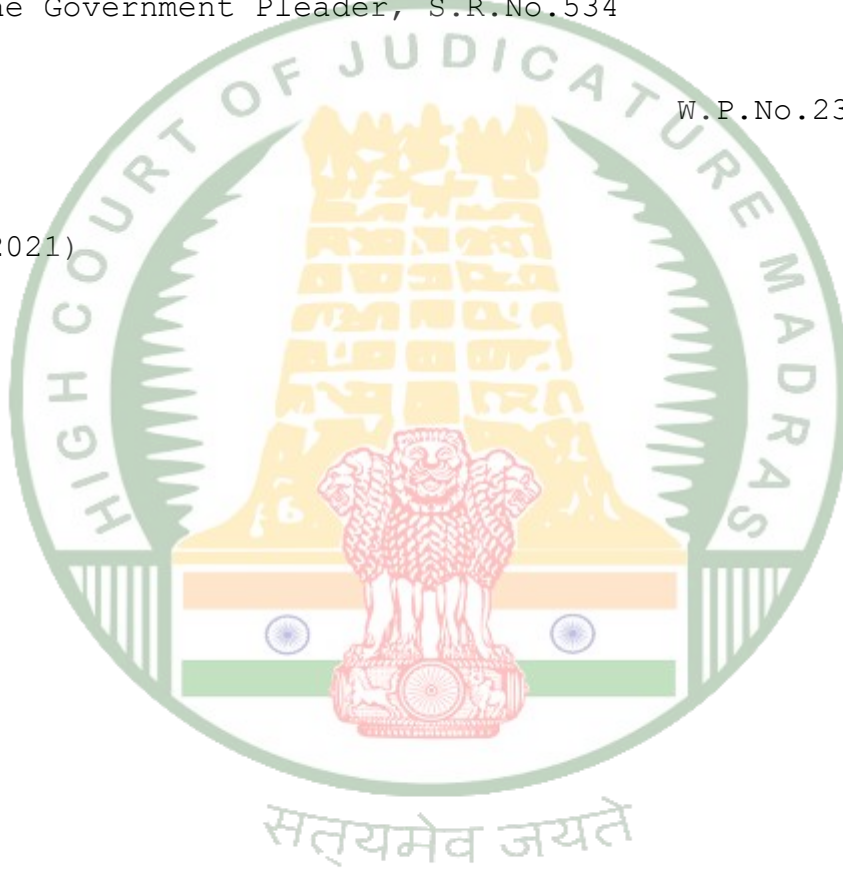
To

1. The Home Secretary
Government of Tamilnadu
Fort St. George, Madras -9.
2. The Director General of Police,
Mylapore, Madras - 4.
3. The Public Prosecutor,
High Court,
Madras.

+1cc to the Government Pleader, S.R.No.534

W.P.No.23050 of 2005

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rv(29/01/2021)



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