



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.10.2021**

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.14485 of 2021

and

W.M.P. (MD)No.11421 of 2021

S.Vijayashanthi

... Petitioner

Vs.

1.The Chair Person,
Sub Committee TNUSRP,
O/o. Superintendent of Police,
Pudukottai, Pudukottai District.

2.The Incharge Officer/Member,
Sub Committee TNUSRP,
O/o. Superintendent of Police,
Pudukottai, Pudukottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining the impugned disqualification slip passed by the respondents dated 05.08.2021 in the petitioner's enrollment No.7401079 for the post of Grade II Police Constable(Men, Women and transgender), Grade-II Jail Warder (Man and Woman) and Fireman for the year 2020 and quash the same and consequently direction to the respondents to consider her for certificate verification.

For Petitioner : Mr.M.Ramu
For Respondents : Mr.Veerakathiravan,
Addl. Advocate General assisted by
Mr.A.K.Manikkam,
Standing Counsel for State.

ORDER

This Writ Petition has been filed challenging the impugned order passed by the respondents dated 05.08.2021 and for a consequential direction to the respondents to consider her for certificate verification.

2. The writ petitioner applied for the post of Grade-II Constable, Grade II Jail Warders and Firemen in the Tamil Nadu Uniformed Services Recruitment Board 2020. The petitioner participated in the written examination and he successfully passed in the written examination. Thereafter, the petitioner participated in the physical measurement test. The petitioner succeeded in the Physical Measurement Test and Endurance Test. Thereafter, the petitioner participated in the physical efficiency



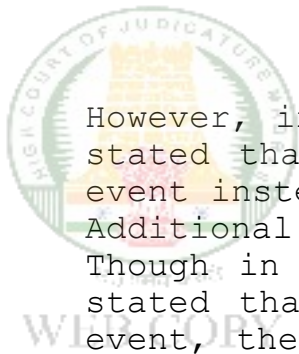
test, wherein they prescribed three events such as long jump, shot-put and running either 100 meters or 200 meters. According to the petitioner, she completed three events successfully, but the respondents declared the petitioner as disqualified and issued the impugned disqualification slip dated 05.08.2021. The disqualification slip shows that the petitioner participated in 200 meters running. But, the petitioner participated in 100 meters running. Challenging the same, the petitioner has filed the present Writ Petition.

3. The learned counsel appearing for the petitioner submits that in the impugned disqualification slip, the respondents stated that the petitioner participated in 200 meters running and completed in 18.37 seconds. The said fact is contrary to the case of the petitioner, because she had participated in 100 meters running and completed in 18.37 seconds. Therefore, the impugned order passed by the respondents is liable to be set aside and one more opportunity to be granted to the petitioner to participate in the running event test. He further submitted that in the Information Brochure, it is clearly stated that if the person is secured at least one star in any of the three event will not be disqualified for participating further test. The petitioner is secured one star and therefore, on this ground also, the impugned disqualification slip issued by the respondents is liable to be set aside.

4. Counter affidavit has been filed by the first respondent. In the counter affidavit, it is stated that in the Information Brochure, it is clearly stated that if the person failed to get one star in any one of the event among three events will be disqualified. Therefore, as per the Information Brochure, the petitioner has to participate in three events and in each events, minimum she has secured one star and totally she has to secure three starts in three events. But the petitioner failed to secure one star in the third event viz., in 100 meters running. Therefore, there is no reason to interfere with the impugned order passed by the respondents. Hence, this writ petition is liable to be dismissed.

5. I have anxiously considered the rival submissions made by both sides and perused the materials on record.

6. The learned Additional Advocate General has produced the original Coding Sheet of the petitioner before this Court. On a perusal of the original Coding Sheet, it is seen that the petitioner has participated in Physical Measurement Test, in which she was qualified; Endurance Test, in which she was qualified; long jump event, in which she was qualified and the petitioner finally participated in 100 meters running test and completed the said event in 18.37 seconds. Therefore, the petitioner was disqualified.



However, in the impugned disqualification slip, it has been wrongly stated that the petitioner has participated in 200 meters running event instead of 100 meters running event. According to the learned Additional Advocate General, it is only an inadvertent mistake. Though in the impugned disqualification slip, it has been wrongly stated that the petitioner has participated in 200 meters running event, the petitioner has participated in 100 meters running event and she has completed the said event in 18.37 seconds. As per the Information Brochure, the petitioner will be disqualified and therefore, the respondents has rightly issued the impugned disqualification slip. Therefore, there is no reason to interfere with impugned order passed by the respondents.

In fine, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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 Chair Person,
Sub Committee TNUSRP,
O/o. Superintendent of Police,
Pudukottai, Pudukottai District.

2.The Incharge Officer/Member,
Sub Committee TNUSRP,
O/o. Superintendent of Police,
Pudukottai, Pudukottai District.

+1 CC to M/s.SPL.GP (SR-31208[F] dated 05/10/2021)

W.P(MD)No.14485 of 2021
and W.M.P. (MD)No.11421 of 2021
04.10.2021

NSN(CO)

KB(27.10.2021) 3P 4C

<https://hcservices.ecourts.gov.in/hcservices/>