



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 29.03.2021

Coram:

The Hon'ble Mr.Justice M.S.RAMESH

W.P.No.14751 of 2020

and

W.M.P.Nos.12411 & 12412 of 2020

WEB COPY

M.Ramkumar

.. Petitioner

Vs.

1.The Chairman,

Tamilnadu Uniformed Service Recruitment Board,
Old Commissioner of Police Office Campus,
Chengalvaraya Naicker Building No.807,
2nd Floor, Anna Salai,
Chennai- 600 002.

2. The Chairman,

Sub Committee,
Tamilnadu Uniformed Services Recruitment Board,
Rajarathinam Stadium Centre,
Egmore,
Chennai - 600 008.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to calling for the records in connection with the impugned letter issued by the 2nd Respondent in his proceedings in C.No.R2/860/2019 dated 13.10.2020 and quash the same as illegal, consequently, direct the Respondents to permit the Petitioner to participate in the next level selection process such as further 400 Meter running, in pursuant of TNUSRB combined recruitment for Sub Inspector of Police (Taluk, Armed Reserve (Men & Women/Transgender) & Tamil Nadu Special Police (Men))-2019, if the Petitioner found eligible in Long Jump length measurement during re-measurement.

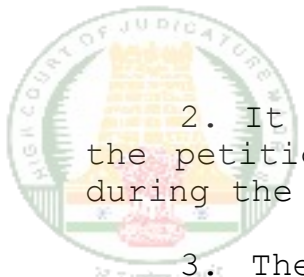
For Petitioner : Mr.A.Rajaram

For Respondents : Mr.K.Chellapandian,

Additional Advocate General III

O R D E R

The petitioner herein participated in the recruitment process for the post of Sub Inspector of Police in the Tamil Nadu Special Police (Men)-2019. Notification was issued disqualifying him in the Physical Efficiency Test, on the ground that the petitioner had crossed only 3.72 meters in the Long Jump test, as against the required length of 3.80 meters.



2. It is stated by the learned Additional Advocate General that the petitioner herein had admitted that he cross 3.72 meters only during the test.

3. The Division Bench of this Court in its decision made in ***N.Muthukauppan Vs. Tamil Nadu Uniformed Services Recruitment Board*** passed in ***W.A. (MD).No.936 of 2015***, dated ***07.09.2015*** has held that, Physical Efficiency Test cannot be ordered for re-test and that this Court is not the forum for passing orders to conduct re-test, unless specific rule or provision or procedure has been violated. It was also held that if such a liberty is granted, every person who has not passed in the Physical Efficiency Test will start approaching this Court.

4. In the present case, the petitioner is similarly placed to that of the candidate before the Division Bench. Following the decision rendered by the Hon'ble Division Bench, I am not inclined to extend the liberty of a re-tact to the petitioner. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /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.

Kmm

To

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+1 CC to M/s.SPL GP (SR-14797[F] dated 31/03/2021)

+1 CC to M/s.A.RAJARAM, Advocate (SR-14898[F] dated 31/03/2021)

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