



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.02.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.16572 of 2016

and

W.M.P (MD)No.12079 of 2016

WEB COPY

B.Bharathi Vignesh

... Petitioner

Vs.

1.The Zonal Recruitment Officer,
The Head Quarters Recruitment Zone,
Fort Saint George,
Chennai-600 001.

2.The Army Recruitment Officer,
Directorate General of Recruiting
Army Recruitment Office,
Guruda Lines,
Tiruchirapalli-620 001.

... Respondents

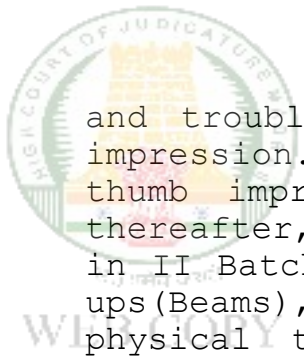
Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to conduct fresh Medical Examination and other formalities to the petitioner for the Army Recruitment within a stipulated time that may be fixed by this Court.

For Petitioner : No appearance
For Respondents : Mr.R.Murugappan
Senior Panel Counsel
(No appearance)

O R D E R

This writ petition is filed by the petitioner to direct the respondents to conduct a fresh Medical Examination and other formalities to the petitioner for the Army Recruitment.

2.The case of the petitioner is that the first respondent conducted an Army Recruitment rally at Seethakathi Sethupathi Stadium, Ramanathapuram, from 02.08.2016 to 10.08.2016 and he applied for the post of Soldier Nursing Assistant(Army Medical Corp). Thereafter, the petitioner was called for to attend the physical test to be held on 06.08.2016 and he appeared before the second respondent on that day and there was some technical problem



and trouble for many of the participants, while providing thumb impression. Due to the said technical problem, the petitioner's thumb impression was obtained along with 15 other persons and thereafter, he was allowed to attend the physical test for running in II Batch, in which, the petitioner has got 48 marks and in pull ups(Beams), he got 40 marks and he has also passed in all other physical tests. Thereafter, the second respondent informed the petitioner that he had passed in physical test and he is eligible to attend the medical test to be conducted on 10.08.2016.

3.Further, the petitioner has averred that as instructed by the second respondent, he appeared on 10.08.2016 at about 05.00 a.m. Again there was a technical snag to retrieve the thumb impression recorded on 06.08.2016 and therefore, the Recruitment Officers instructed the petitioner to come on the next day. Accordingly, the petitioner appeared on 11.08.2016, but they could not obtain his thumb impression and again instructed him to come on the next day. Finally, the petitioner had appeared before the Recruitment Officers on 12.08.2016 and they tried to get his thumb impression, which was not tallied with his earlier records and hence, he has not been allowed to participate in the medical test. Therefore, the petitioner has made a representation on 16.08.2016 to the respondent to provide him an opportunity to participate in the medical test. However, till date no action has been taken. Hence, the present writ petition is filed.

4.The facts in the present case are not in dispute. Admittedly, the petitioner had passed the physical test, which was conducted in the year 2016. Since the entire recruitment process has already been over at the relevant point of time, this Court is of the view that nothing remains to be adjudicated after a lapse of five years from the date of filing of this Writ Petition.

5.In view of the above, the prayer sought for in the present writ petition cannot be granted. Hence, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

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/ /2021

Sub Assistant Registrar(CS)

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To



1.The Zonal Recruitment Officer,
The Head Quarters Recruitment Zone,
Fort Saint George,
Chennai-600 001.

2.The Army Recruitment Officer,
Directorate General of Recruiting
Army Recruitment Office,
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