



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.15635 of 2021

M.Sithara

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep.by its Secretary to Home Department,
Fort St.George,
Chennai-600 009.
- 2.The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai-4.
- 3.The Joint Commissioner of Police cum the Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore,
Chennai-600 008.
- 4.The Chairman,
Sub Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Rajarathinam Stadium Centre,
Egmore,
Chennai-600 008.
- 5.The Inspector General of Police/Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore,
Chennai-600 008.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the fifth respondent in C.No.L1/1099/2021 dated 15.03.2021 and quash the same and consequently direct the respondents to give suitable government post to the petitioner on mercy ground.



For Petitioner : Mr.A.Rajaram
For Respondent : Mr.Veera Kathiravan
Additional Advocate General
assisted by
Mr.A.K.Manikkam,
Special Government Pleader

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O R D E R

The rejection of candidature of the petitioner for selection to the post of Grade-II Police Constable is under challenge in the present writ petition.

2. The petitioner participated in the process of selection for appointment to the post of Grade-II Police Constable. The petitioner was successful in the written examination. However, she was not successful in the sports events.

3. The learned counsel appearing for the petitioner made a submission that there was no adequate safety during the sports events and therefore, the petitioner could not able to perform well.

4. The learned Additional Advocate General objected the said contention by stating that the norms are fixed for conducting sports events. According to the norms, the sports events were conducted uniformly to all the candidates, who were participated in the process of selection. Therefore, the claim of the petitioner that there was no adequate safety is false and not substantiated. It is further submitted that the standard norms for conducting sports events were being maintained by the Selection Committee and thus, there is no reason whatsoever to consider the contention raised by the petitioner after participating the sports events.

5. This Court is of the considered opinion that when several candidates participated in the sports events were successful and got selected, the petitioner, who is an unsuccessful candidate, cannot turn around and say that there was no adequate safety while conducting sports events by the Selection Committee. Such claim cannot be considered after the completion of the selection. Even the learned counsel appearing for the petitioner states that the petitioner was successful in 400 run events. When that is the submission, no reason is believed that only in long jump events, no adequate safety is provided.

6. The petitioner submitted a mercy petition. The mercy petition was considered by the Board by stating that there is no provision under the Rules to consider such mercy petition. Once the petitioner is not selected and the Selection Committee took a decision, that became final. Therefore, the ground raised in the petition is neither candid nor convincing.



7. Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

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// True Copy //

/ /2022

Sub Assistant Registrar (CS)

ssb

To

1. The Government of Tamil Nadu,
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+1 CC to M/s.A.RAJARAM, Advocate (SR-14468[F] dated 25/03/2022)

+1 CC to M/s.SPL GP (SR-14871[F] dated 28/03/2022)

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RK(05/04/2022) 3P 8C