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W.P. No. 4815 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 4815 of 2023

and

W.M.P. No. 4837 of 2023

G.Sasikala

... Petitioner

-VS-

1. Director General of Police,
Chennai – 600 004.
2. The Member Secretary,
Tamilnadu Uniformed Services Recruitment Board,
Anna Salai, Chennai – 600 002.
3. The Chair Person cum Deputy Commissioner of Police,
Tamilnadu Uniformed Services Recruitment Board,
Head Quarters Admin, Armed Police, Avadi,
Chennai.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to proceedings No. Nil Annexure 9 Disqualification Slip, dated 10/02/2023 and quash the same and consequently direct the respondents herein to appoint the petitioner (Regn.No.7200033) as Grade II Police Constable for the year 2020, on par with his batch mates with all consequential service benefits.

For Petitioner : Mr. Bala
for Mr. G.Bala and Daisy



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For Respondents : Mrs. R.Anitha
Special Government Pleader for R1

: Mr. P.Kumaresan
Additional Advocate General
assisted by
: Mrs. Sowmi Dattan for R2 & R3

ORDER

Heard Mr. Bala, Learned Counsel for the Petitioner and Mr. P.Kumaresan, Learned Additional Advocate General assisted by Mrs. Sowmi Dattan, Learned Counsel for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner had made online application for the post of Grade II Police Constable in furtherance to the Notification No. 1/2020 dated 17.09.2020 published by the Respondent. It is her case that she should be allowed to participate in all the events in long jump, short put/cricket ball throw and 100 meters run /200 meters run, though she may have failed in any of the said events. It is contended that the Petitioner was on 10.02.2023 asked to attend the long jump of minimum 3 meters and though she achieved that target in the first attempt, it was declared as 'foul' and in the subsequent chance, she had jumped 2.68 meters. It is further pleaded that as per the procedure she ought to have



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been allowed to participate in other two events, but the Third Respondent disqualified her by the Disqualification Slip dated 10.02.2023, which is challenged in this Writ Petition by contending that she ought to have been allowed to attend the Physical Efficiency Test and on that basis, her merits ought to have been assessed by the Respondents.

3. In response, the Superintendent of Police, Tamil Nadu Uniformed Services Recruitment Board has filed written instructions dated 16.03.2023 stating as follows:-

“3. It is submitted that when G.O. (Ms) No. 440, Home (Police IX) Department, dated 27.05.2003 was passed, the 1st stage of selection process was Physical Tests followed by Written Examination for selection to the post of constables. The said Government Order allowed men candidates who secured a minimum of 1 star in each of the three events under Physical Efficiency Test to move the next phase of selection i.e. Written Test. The same Government Order allowed the women candidate to move to the next phase of selection i.e. Written Test irrespective of marks obtained in the Physical Efficiency



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Test. It is also stated that the marks obtained by the women candidates in the Physical Efficiency Test were to be taken into account for the purpose of computing marks to the said post.

4. *It is submitted that the above said G.O. (Ms) No. 440, Home (Police IX) Department, dated 27.05.2003 was followed by the TNUSRB in the recruitments till 2014, when G.O. (Ms) No. 998, Home (Police VI) Department, dated 27.12.2014 was issued to modify the selection criteria for women candidates appearing for recruitment to the post of Sub Inspector of Police and Gr.II Police Constables thereby amending the Special Rules for Tamil Nadu Police Subordinate Services. This Government Order stipulated the below stated norms and criteria for women candidates for selection to the post of constables.*

(3) against the entry “Category-8 Constables – Men and Women (Other than the Band Constables, Office of the Director General of Police) and Reserve Constables” in column (1),-



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(ii) in clause 3, in sub-clause (ii),-

(b) in the TABLE, for the heading “For Women Candidates” and the entries thereunder, the following headings and entries shall be sustained, namely:-

FOR WOMEN CANDIDATES

Sl. No.	Events	One Star Standard 1 star	Two Stars Standard 2 stars – 5 marks
1.	Long Jump	3.00 Metres	3.75 Metres
2.	100 Metres Run	17.50 Seconds	15.50 Seconds
3.	200 Metres Run	38.0 Seconds	33.0 Seconds
4.	Shot Put	4.25 Metres	5.50 Metres
5.	Cricket Ball Throw	17.00 Metres	24.0 Metres

Out of the above five events, the candidates shall participate in three events, namely, the long jump event, anyone of the running events and either shot put or cricket ball through event and shall qualify in all the three events with minimum of one star in each of the events.

5. *It is submitted that TNUSRB was following G.O. (Ms) No. 998, Home (Police VI) Department, dated 27.12.2014 in its*



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recruitment processes till the common recruitment 2020. The Government issued an order in G.O. (Ms) No. 319, Home (Police III) Department, dated 27.06.2022 revising the pattern of examination for recruitment of Sub Inspector of Police and Gr.II Police Constables, Gr.II Jail Warders and Firemen. The proposal for the said Government Order was recommended by TNUSRB as the number of disqualifications in Physical Efficiency Test was high. In so far as Physical Efficiency Tests are concerned for the post of Gr. II Police Constables, Gr. II Jail Warders and Firemen the following order was passed in G.O. (Ms) No. 319, Home (Police III) Department, dated 27.06.2022.

- I. The candidates who clears the Physical Measurement Test and Endurance Test from now on will be allowed to participate in all the three events and the marks secured in each of the event will be totalled.*
- II. The weightage of the Outdoor events, the marks allocated in the physical efficiency test is enhanced and revised as below:*



	Existing mark allocation	Proposed marks allocation
One Star	2 marks	4 marks
Two Stars	5 marks	8 marks

*The maximum marks for physical efficiency test for three events in 24 marks i.e. 3*8.*

6. *It is submitted that the above stated G.O. (Ms) No. 319, Home (Police III) Department, dated 27.06.2022 was adopted by TNUSRB from the Common Recruitment 2022 onwards. No minimum mark was prescribed for the candidates to be obtained in the Physical Efficiency Test. Candidates irrespective of the marks or stars obtained by them in the physical efficiency test are allowed for further selection process.*

7. *It is submitted that the Petitioner herein, G.Sasikala was a candidate t the common recruitment 2020 where the norms prescribed in G.O. (Ms) No.440, Home (Police IX) Department, dated 27.05.2003 was not applicable as the same was replaced*



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by G.O. (Ms) No. 998, Home (Police VI) Department, dated 27.12.2014. Furthermore, G.O. (Ms) No. 319, Home (Police III) Department, dated 27.06.2022 was also not applicable to the petitioner as the said Government order was not issued then. During the Common Recruitment 2020 in which the Petitioner had participated, the Government order in force was G.O. (Ms) No. 998, Home (Police VI) Department, dated 27.12.2014, stated in para 4 above. As per this Government order, this petitioner has to obtain a minimum of 1 star in each of the three events under Physical Efficiency Test to be qualified for the next stage of selection process.

8. It is submitted that this petitioner having participated in common recruitment 2020 and claiming seniority on par with her batch mates cannot seek for relaxation stipulated in G.O. (Ms) No. 319, Home (Police III) Department, dated 27.06.2022, which was not in existence during the common recruitment 2020.”



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4. In view of the aforesaid explanation of the Respondents, which deserves acceptance, it is not possible to grant any relief as sought in the Writ petition, but it would not preclude the Petitioner if she has any further grievance to work out her remedies before the proper forum in the manner recognized by law.



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In the result, the Writ Petition is dismissed with the aforesaid clarifications. Consequently, the connected Miscellaneous Petition is closed. No costs.

16.03.2023

Sgl/skr

Index: Yes/No

NCS : Yes / No

Note: Issue order copy by 28.07.2023.

To

1. Director General of Police,
Chennai – 600 004.
2. The Member Secretary,
Tamilnadu Uniformed Services Recruitment Board,
Anna Salai, Chennai – 600 002.
3. The Chair Person cum Deputy Commissioner of Police,
Tamilnadu Uniformed Services Recruitment Board,
Head Quarters Admin, Armed Police, Avadi,
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P.D. AUDIKESAVALU, J.

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