



W.A.No.199 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.A.No.199 of 2018
and CMP.No.1486 of 2018

P.Joshua

...appellant

Vs.

The Chairman,
Tamil Nadu Uniformed Services,
Recruitment Board,
Old Commissioner of Police Campus,
Pantheon Road, Egmore, Chennai 600 008.

...respondent

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 31.08.2017 in WP.No.22738 of 2017 passed by the Single Judge of this Court.

For appellant : Mr.S.Ilamvaludhi

For respondent : Mr.P.Kumaresan, Additional Advocate General
assisted by Mr.Lenin, Standing Counsel



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JUDGMENT

(The Judgment of the Court was delivered by R.SUBRAMANIAN, J)

Challenge in the intra court appeal is to the order of the Writ Court, dismissing the Writ Petition filed by the petitioner seeking to quash the disqualification slip dated 01.08.2017 and to direct the respondent to appoint the petitioner as a Grade II Police Constable.

2. The appellant/petitioner took part in the selection for the post of Grade II Police Constable and underwent physical fitness test on 01.08.2017. Since he was unable to clear the rope climbing test, the disqualification slip was issued by the Chairman of the Sub-Committee. The petitioner challenged the said disqualification slip mainly on the ground that one Ramkumar, who appeared along with him was given a second chance and therefore, he should also have been given a second chance. Even before the Writ Court, the response of the Government was that the said Ramkumar was wrongly selected and he was also disqualified upon detection of the mistake.

3. What the petitioner sought before the Writ Court was relaxation of the required qualifications, for which, the Writ Court has rightly refused.



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When the qualifications are fixed by the persons having domain expertise, the Court cannot sit in a judgment over the same and direct relaxation of the qualifications.

4. We therefore do not find any merit in the Writ Appeal and therefore, the Writ Appeal stands dismissed. Liberty is reserved to the appellant/petitioner to take part in the subsequent selections and the disqualification will not prevent him from taking part in the subsequent selections. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M.J.,) (S.S.K.J.,)
23.01.2023

Index : No
Speaking order: Yes
pvs

To
The Chairman,
Tamil Nadu Uniformed Services,
Recruitment Board,
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pvs

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