



W.P.No.17532 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.17532 of 2021
and W.M.P.Nos.18656 & 18657 of 2021

M.Sarath Kumar

... Petitioner

Vs.

- 1.State of Tamil Nadu,
Rep. by the Secretary to Government (Home-III),
Fort St.George,
Chennai – 9.
- 2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Pantheon Road,
Chennai – 8.
- 3.The In-charge Officer/Member,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Pantheon Road,
Chennai – 8.
- 4.The Chairperson,
Sub-Committee, Kanchipuram Centre,
& Superintendent of Police,
Kanchipuram District.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying
for issuance of Writ of Certiorarified Mandamus calling for the records of the



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respondents in connection with the impugned disqualification slip passed by the fourth respondent dated 04.08.2021 and quash the same and direct the respondents to hold retest for the petitioner bearing (Reg No: 0202156) in so far as the rope climbing event is concerned and based on the qualifying marks in the said event, consequently permit the petitioner to participate in rest of the Physical Endurance Test for Recruitment of Gr.II PC (AR, TSP, Jail Warder, Fireman) for the year 2020.

For Petitioner : Mr.Venkataramani,
Senior Counsel

For Respondents : Mr.P.Kumaresan,
Additional Advocate General
Assisted by
M/s.D.Sowmi Datton,
Standing Counsel

ORDER

This writ petition has been filed by the petitioner seeking to call for the records of the respondents in connection with the impugned disqualification slip passed by the fourth respondent dated 04.08.2021 and quash the same and direct the respondents to hold retest for the petitioner bearing (Reg No: 0202156) in so far as the rope climbing event is concerned and based on the qualifying marks in the said event, consequently permit the petitioner to



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participate in rest of the Physical Endurance Test for Recruitment of Gr.II PC (AR, TSP, Jail Warder, Fireman) for the year 2020.

2. The case of the petitioner is that the respondents had published a notification vide notification 1/2020 dated 17.09.2020 for the post of Grade II PC (AR, TSP, Jail Warder and Fireman). The recruitment contains three levels of examination i.e., written test, physical test and interview. Being a holder of B.P.Ed degree, petitioner has applied for the aforesaid post and he was issued with a registration No.USB092235. Thereafter, the petitioner has cleared his written examination and selected for physical test, which was held at District Sport Stadium, Kancheepuram. There, he had participated in 1500 mts running and came successful. After the same, he was selected for physical efficiency test and the first event in the said test is rope climbing. Only Candidates, who have climbed the minimum qualifying height of the rope will be allowed to participate in the remaining event.

2.2. The petitioner has participated in the rope climbing event in the 4th Batch as the first candidate and he was given three chances, however, he had failed to reach the required minimum height of 5 mtrs in all the three



attempts. Hence, he was disqualified and issued with a disqualification slip dated 04.08.2021. Challenging the same, the petitioner has come forward with the present writ petition.

3. Learned senior counsel for the petitioner submitted that at the first attempt, the petitioner has climbed minimum qualifying height of 5 mtrs but at the last minute, due to moisture, there was a slip at the end of the rope. After the first attempt, he was given second attempt and at that time, he was able to climb the rope, but could not finish and in the third attempt, due to lack of energy, he has not able to climb the rope.

4. Learned senior counsel for the petitioner further submitted that there were nearly 60 candidates, who had climbed the rope and the authorities ought to have dried the rope as it being a strenuous physical activity and the sweat of the candidates were bound in the rope. Hence, it is the duty of the authorities to dry the rope or carefully verify the condition of the rope at a regular interval, but, the same was not done. Moreover, the petitioner was given three chances without much time gap in climbing the rope, which leads to depletion of energy and without considering the same, the fourth



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respondent issued a disqualification slip dated 04.08.2021. Hence, he prayed for allowing this writ petition by quashing the aforesaid slip dated 04.08.2021.

5. Per contra learned Additional Advocate General appearing for the respondents submitted that for the event of rope climbing, a total of 10 candidates had participated in Batch No.4 along with the petitioner herein and moreover, he was the first candidate to climb the rope in Batch No.4. The other 9 candidates had climbed the same rope after him and all had qualified in the event. None of the 9 candidates of the said Batch had complained or reported anything as alleged by the petitioner. Hence, he prayed for dismissing this writ petition.

6. Heard the learned counsel on either side and perused the materials available on record.

7. In the present case on hand, the main contention of the petitioner is that due to moisture, he slipped from the rope before placing his chin above the mark, however, after hearing the submission made by the learned



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Additional Advocate General appearing for the respondents, it is clear that the petitioner is the first candidate to climb the rope in his Batch, which consists of 9 other candidates and he is the only one to disqualify from the said event out of 10 candidates. Hence, it is clear and event that there was no scope for any damage or moisture in the rope.

8. In the result, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

25.08.2023 (vm)

Index : Yes/No
Speaking Order : Yes/No

To:

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Chennai – 9.
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Chennai – 8.
- 3.The In-charge Officer/Member,
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Egmore, Pantheon Road,
Chennai – 8.

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4.The Chairperson,
Sub-Committee, Kanchipuram Centre,
& Superintendent of Police,
Kanchipuram District.

J.SATHYA NARAYANA PRASAD,J.

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