



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 10.10.2023**

**CORAM:**

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

**W.P.No.18543 of 2020**

V. Rajkumar

... Petitioner

*versus*

The Tamil Nadu Uniformed Service,  
Recruitment Board,  
rep. By its Chairman,  
Anna Salai,  
Chennai 600 002

... Respondent

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to consider the representation dated 21.01.2020 and direct the respondent to give second opportunity for conducting the physical efficiency test again for the petitioner in respect of the selection of Sub Inspector of Police.

For Petitioner : Mr. M. Madhu Prakash

For Respondent : Mr. P. Kumaresan, AAG  
for Mr.D.Sowmi Dattan



## **ORDER**

This writ petition has been filed to consider the representation dated 21.10.2020 and direct the respondent to give second opportunity for conducting the physical efficiency test again for the petitioner in respect of the selection of Sub Inspector of Police.

2. The petitioner, who is working as a constable, has applied to the post of Sub-Inspector of Police against the Twenty percent Department quota. Further the petitioner had scored 77 marks out of 85 in the written examination and he has also participated in the physical test. During the entrance test, each candidate should complete 1500 mtrs running in 7 minutes. The petitioner had completed around 1250 mtrs before time and when he crossed 1250 meters, he suffered with a sudden leg twist. Due to that, he fell down and lost his consciousness. The petitioner was advised to undergo surgery and he immediately, accepted for the surgery in order to complete the physical test. After he discharged from the hospital, he started to walk with the help of a walker. However, he was quiet confident that he would be back to normalcy. The petitioner made a representation to the respondent on 21.10.2020 for giving his opportunity to conduct physical



test for the petitioner, in order to give an opportunity to the petitioner to establish his physical fitness.

3. The learned Additional Advocate General appearing for the respondent submitted that if such opportunities are granted repeatedly that would open to the cause for lot of such petitions and it would not get finality for the selection process.

4. Heard both sides and perused the materials available on records carefully.

5. It is unfortunate that the petitioner could not finish 1500 meters and he suffered with sudden leg twist at 1250 meters, which caused fracture injury. Hence, the petitioner had sought for time by stating that the fracture is beyond his control and on humanitarian basis, he should be given an opportunity.



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6. If the second opportunity is given to the petitioner, it is open to encourage the similarly placed litigant to claim the second chance. This will not make selection process to attain finality. All that which can be dismissed the case of the petitioner and the petitioner should have a best of luck during the next selection process if he happens to apply for the same. Though this Court can feel sad for the petitioner, no opportunity, as claimed by the petitioner, can be given by considering the reason stated by him.

7. Hence, this writ petition is dismissed. No costs.

**10.10.2023**

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

mrp

To

The Tamil Nadu Uniformed Service,  
Recruitment Board,  
rep. By its Chairman,  
Anna Salai,  
Chennai 600 002

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**R.N.MANJULA, J.**

mrp

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