



W.P.(MD)No.7240 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7240 of 2023

and

W.M.P.(MD)Nos.6831 and 6832 of 2023

P.Manoharan

... Petitioner

Vs.

1.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai – 8.

2.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai – 8.

3.The Superintendent of Police /
Sub Committee Chairman,
Ramanathapuram Centre,
Ramanathapuram.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 1st respondent in his proceedings in C.No.R2/2666/2022-2 dated 08.03.2023 and quash the



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same and consequently direct the respondents to allow the petitioner to participate in the physical Test and to extension as the recruitment process pursuant to the notification No.02/2022 dated 30.06.2022 for the post of Grade II Police Constable, Grade II Jail Warden and Fireman-2022.

For Petitioner : Mr.C.Ezhilarasu

For Respondents : Mr.Veerakathiravan,
Addl. Advocate General,
Assisted by Mr.K.Balasubramani,
Spl. Government Pleader.

* * *

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Advocate General assisted by the learned Special Government Pleader for the respondents.

2.The petitioner applied in response to the notification issued by the respondent board calling for application from eligible candidates for the post of Police Grade II Constable etc. The petitioner wrote the written examination on 27.11.2022 and got 66 marks out of 70 marks.



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He was called for certificate verification and physical standard verification on 06.02.2023. Unfortunately on 05.02.2023, the petitioner met with an accident and had to be taken to hospital. The petitioner approached the third respondent for permitting him to take part in the physical test on another day. He submitted a request letter along with medical certificate. However, the petitioner's request was rejected on 08.03.2023 by the first respondent. Challenging the same, this writ petition came to be filed.

3.The learned counsel for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to set aside the impugned order and grant relief as prayed for.

4.I am not persuaded by the submissions of the learned counsel for the petitioner. As rightly pointed out by the learned Additional Advocate General, the notification issued by the board does not provide for permitting the petitioner to take part in the physical test on any other date other than the one prescribed by the authorities. Such permission is granted only for Covid-19 affected candidates and women candidates



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who are pregnant. Other than these two categories, concession is not granted to any other category. It is not open to this Court to interfere with the norms of recruitment. The petitioner having taken part in the selection process cannot now question the norms set out in the recruitment notification. That apart, the provisional list had already been published on 29.03.2023. It is stated by the respondents that for the covid-19 affected candidates who did not take in the physical test on 06.02.2023, the physical test was conducted on 02.03.2023. The petitioner does not fall under Covid-19 affected category. Therefore, I am not in a position to interfere with the impugned endorsement. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

31.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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WEB COPY

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G.R.SWAMINATHAN,J.

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