



W.P.(MD).No.3188 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.3188 of 2024
and WMP(MD) No.3143 of 2024

V.Mahalakshmi

... Petitioner

Vs

1. Tamil Nadu Uniformed Services Recruitment Board,
Rep. by its Chairperson / Director General of Police,
Egmore, Chennai-8.
2. The Superintendent of Police,
Pudukkottai District..
3. The Superintendent of Police,
Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents to permit the petitioner to participate in the Physical Test, which is scheduled in the month of August to be conducted for Pregnant Women in respect of the Direct Recruitment to the post of Sub-Inspectors of Police - 2023, (Taluk, Armed Reserve and Tamil Nadu Special Police (Men and Women/Transgenders) within the time period stipulated by this Court.



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For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.P.Veera Kathiravan
Additional Advocate General

Assisted by
Mr.J.John Rajadurai
Government Advocate

ORDER

The present writ petition has been filed for the issue of a writ of mandamus, directing the Respondents to permit the petitioner to participate in the Physical Test, which is scheduled in the month of August to be conducted for Pregnant Women in respect of the Direct Recruitment to the post of Sub-Inspectors of Police - 2023, (Taluk, Armed Reserve and Tamil Nadu Special Police (Men and Women/Transgenders) within the time period stipulated by this Court.

2.Heard, the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the respondents. Perused the materials available on record.

3.The Tamil Nadu Uniform Services Recruitment Board invited applications for common recruitment to the post of Sub Inspector of Police,



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vide notification, dated 05.05.2023. The petitioner herein has participated in the written examination.

4.The writ petitioner in this writ petition after qualifying in the written examination was called for Physical Endurance Test and certificate verification by the respondents on 07.11.2023. When the physical efficiency test was conducted on 7.11.2023, the petitioner had appeared and informed the respondents that she has suffered a fracture in her right leg ankle and hence, she could not participate in the ongoing test, thereby, requesting for an alternative test. Though there is no provision to conduct physical efficiency test on an alternate date in view of the notification for recruitment, the respondent board vide proceedings of the Director General of Police allowed to conduct the physical efficiency test again on 29.11.2023 for the petitioner at Trichy Centre. However, the petitioner appeared before the Trichy Centre on 29.11.2023 and informed again her inability to participate in the recruitment process. Hence, the petitioner was marked absent. In view of the same, this petition came to be filed by the petitioner seeking to direct the respondent to permit the petitioner to participate in the physical test, which is scheduled to be conducted in the month of August for pregnant women.



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5. In view of the peculiar nature of the case in hand, this Court is of the considered view that the petitioner was not able to participate in the physical endurance test only because of her medical condition and it was neither wanten nor willful. However, she promptly appeared on 07.11.2023, the date on which she was called for by the respondents to attend the physical efficiency test on the first instance and also on 29.11.2023, when she was again required to appear before the Trichy Centre by the respondents vide proceedings of the Director General of Police. Having appeared before the respondents on both the dates, she had promptly informed her inability to participate because of her medical condition that is fracture in her right leg ankle.

6. In view of the same, this Court is of the considered view that the respondents have permitted pregnant women, who have applied for the said recruitment to participate in the physical test in the month of August for medical reasons. Considering the extraordinary medical condition of the petitioner, the petitioner may also be permitted to participate in the physical test, which is scheduled to be conducted in the month of August on her



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submission of medical certificate for having undergone treatment during 07.11.2023 and 29.11.2023. On receipt of the same, the respondents are directed to verify the genuineness of the medical certificate and thereafter, permit her to participate in the physical efficiency test, which is scheduled to be held in the month of August.

7. Accordingly, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

20.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes

PNM

To

1. The Chairperson / Director General of Police,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai-8.
2. The Superintendent of Police,
Pudukkottai District.
3. The Superintendent of Police,
Trichy District.



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L.VICTORIA GOWRI, J.

PNM

**ORDER IN
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