



WP.(MD).No.28381 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 18.03.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.28381 of 2023
and
W.M.P.(MD)No.24424 of 2023

S.Syed Azad

... Petitioner

Vs.

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

2.The Chairperson,
Tamil Nadu Uniformed Services Recruitment Board,
Sub-Committee,
Madurai Centre,
Madurai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to award two marks for High Jump event in Physical Eligibility test to the petitioner (Enrolment No.4003542) for the post of Joint Recruitment of Sub Inspector of Police (Taluk, AR & TSP) and Station Officers, Fire and Rescue Service Department – 2023 in the Tami Nadu Uniformed Services Recruitment Board.



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For Petitioner	: Mr.R.Venkatesan
For Respondents	: Mr.P.Veera Kathiravan, Additional Advocate General Assisted by Mr.S.Shaji Bino, Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, seeking to direct the respondents to award two marks for High Jump event in physical Eligibility test to the petitioner (Enrolment No.4003542) for the post of Joint Recruitment of Sub Inspector of Police (Taluk, AR & TSP) and Station Officers, Fire and Rescue Service Department – 2023 in the Tamil Nadu Uniformed Services Recruitment Board.

2.The petitioner is presently working as a Fireman in the Tamil Nadu Fire and Rescue Services. The respondents had called for the Joint Recruitment of Sub-Inspector of Police (Taluk, AR and TSP) and Station Officers, Fire and Rescue Services Department - 2023 in the Tamil Nadu Uniformed Services Recruitment Board. Pursuant to the same, the petitioner had made an application for participating in the recruitment process. The petitioner had successfully passed in the written examination by securing 59.5 marks and thereafter, the first respondent had invited him to



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participate in the physical endurance test. The venue of the physical endurance test was Madurai City Armed Reserve Ground, Reserve Line, Madurai and the date was 07.11.2023. The petitioner duly attended the physical endurance test, which was conducted on 07.11.2023 and was qualified in his height measurement and chest measurement respectively. On 08.11.2023, the respondents conducted further level of the physical endurance test in Madurai City Armed Reserve Ground, Reserve line, Madurai. The petitioner participated in the rope climbing and got 5 marks (2 stars) in the event. The next event was high jump/long jump. While participating in the high jump, in the first attempt, he crossed over 1.20 meter in the high jump event. He was eligible for 2 marks (1 star) in the event.

3.He did not touch the ground or behind the bar before clearance and successfully cleared the high jump event. Thereafter, one official standing in the ground told the TNUSRB officials that the petitioner had jumped the high jump event with front flip position, only back flip and scissors cut position is permissible for high jump event and therefore, the officials told the petitioner that his high jump event of 1.20 centimeter will not be counted for 2



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mark and only back flip and scissors cut position is permissible for high jump event. Thereafter, the officials required the petitioner to jump the high jump event with back flip or scissor cut position.

4.The petitioner explained the officials that he had hardly trained the high jump event with front flip position for the past several months for Sub-Inspector of Police selection after discussion with athletes. He also told the officials that a jump can be considered a failure only if the jumper touches the bar before clearance. He had already contacted the first respondent office through phone and it was replied that front flip position is permissible for high jump event.

5.In the notification No.1 of 2023 issued by the first respondent, the style for participation in the high jump event has not been mentioned. Since his high jump event was not accepted by the respondents, later he was not permitted to participate in the long jump event. Aggrieved by this, the petitioner had sent a detailed representation to the first respondent on 15.11.2023 seeking to award marks for his attempt in high jump. However, the same was not considered. Hence, this Writ Petition came to be



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filed.

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6.The learned Additional Advocate General appearing for the respondents submitted that the petitioner belonged to BC (M community). Having cleared the written examination, he was called for physical test before the Madurai Sub Committee on 07.11.2023. In the physical efficiency test, which consists of three events, he obtained two stars in the rope climbing event, one star in the running event. However, in the jump event, he opted for high jump instead of long jump. The entire event was fully videographed and as per the PET coding sheet and lab sheet, this petitioner with chest number 01 had failed to meet the minimum standards prescribed for high jump. Hence, he was awarded with zero marks for the event of high jump. This Writ Petition has been filed seeking marks for the same stating that he had crossed over 1.20 meter in the high jump and that he is eligible for two marks that is one star.

7.Heard the learned counsel appearing for the petitioner, the learned Additional Advocate General appearing for the respondents and carefully perused the entire materials available on record.



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8. On perusal of the videographs of the high jump event of this petitioner, the learned Additional Advocate General submitted that it could be found that the petitioner was given chest number 0.03 and crossed the first star standard that is 1.20 meters in the first chance with front flip using both his legs for take off. However, the same was denied by the sports officials present on the ground. Further, they had explained the petitioner as to how to jump and clear the crossbar. The petitioner was again asked to attempt with chest number 01 with back flip or scissors. In both the chances given, the petitioner made foul and hence, he was awarded zero marks in high jump.

9. Answering to the petitioner's contention that a jump could be considered a failure only if the jumper touches the bar before clearance, the learned Additional Advocate General submitted that in this regard, clarification was sought from District Sports and Youth Welfare Officer, SDAT, Madurai, who in his letter dated 07.12.2023 has clarified that, as per the World Athletics Rules (high jump) under Rule No.27, an athlete shall take off from one foot. This petitioner while jumping, had used both legs take off to clear the crossbar and because of which, he was not awarded star mark.



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Hence, the petitioner's claim to consider his first attempt of over 1.20 meters in the high jump event and award two marks that is one star is not maintainable.

10.Having acknowledged the fact that the entire recruitment process during physical endurance test had been videographed by the respondent Board and only on the basis of the clarification received from the District Sports and Youth Welfare Officer, SDAT, Madurai vide letter dated 07.12.2023 in terms of the World Athletic Rules (high jump), the petitioner's performance in the high jump came to be rejected by the respondent.

11.In view of the same, this Court is of the considered view that this Court cannot invoke the Extraordinary Jurisdiction of this Court under Article 226 of the Constitution, thereby directing the respondents to award one star for the event of high jump to which he is not entitled to in terms of the World Athletics Rules.



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12. Accordingly, the Writ Petition fails and the Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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

To

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L.VICTORIA GOWRI, J.

Mrn

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