



W.A.(MD).No.362 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.A.(MD).No.362 of 2020
and
C.M.P.(MD).No.2539 of 2020

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

2.The Chairman,
Sub Committee,
Ramanathanapuram Centre,
Ramanathanapuram.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathanapuram District,
Ramanathanapuram.

... Appellants/Respondents

Vs.

Manikandan

... Respondent/Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 03.01.2020 made in W.P.(MD).No.23740 of 2019 and allow this Writ Appeal.



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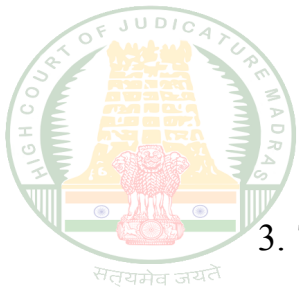
For Appellants : Mr.S.P.Maharajan
Special Government Pleader
For Respondent : No appearance

JUDGMENT

(Judgment of the Court was made by S.M.SUBRAMANIAM, J.)

The Writ Appeal has been instituted challenging the writ order dated 03.01.2020 passed in W.P.(MD).No.23740 of 2019.

2. Pursuant to the recruitment notification issued by the Tamil Nadu Uniformed Services Recruitment Board, the respondent participated in the process of selection for appointment to the post of Grade-II Police Constable. He was successful in the written examination. Thus, the respondent was called for to appear for physical verification test and endurance test. The date for physical verification test was fixed on 06.11.2019. The respondent submitted a request application to conduct the physical verification test on some other date, since he suffered leg injury. However, the physical verification test was held on 18.11.2019 and on 22.11.2019 by providing an opportunity to the respondent to participate in any one of the dates.



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3. The learned Special Government Pleader appearing for the appellants would submit that the respondent had not appeared before the Selection Committee and remained absent. Thereafter, the Writ Petition came to be instituted. The Writ Court made an observation that the respondent was temporarily disabled, which prevented him from appearing for the physical verification test conducted on 09.11.2019 and 18.11.2019. Since the respondent was successful in the written examination, the Writ Court granted liberty to the respondent to approach the Member Secretary, Tamil Nadu Uniformed Services Recruitment Board along with all the medical records and further direction was issued to conduct physical verification test for the respondent alone.

4. The learned Special Government Pleader would rely on the judgment of the Division Bench of this Court dated 06.07.2021 in ***W.A.(MD).No.1049 of 2021 (Thirumurugan Vs. The Tamil Nadu Uniform Service Recruitment Board)***. In similar circumstances, the Division Bench held that selection process was completed and the provisional list was published. At that stage, the candidate, who has not participated in the selection process, cannot claim another opportunity to be granted to him. Re-conducting of physical verification test does not arise at all since the Recruitment Board is conducting recruitment in large scale for employment to the post of Grade II Police Constable. In the event of giving any such preference, it would result in



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opening of pandora's box and many other candidates, who have not participated in the test, would also claim for conducting of special tests. The said order of the Division Bench was taken by way of a Review Application in Rev.Aplc(MD).No.94 of 2021, which was also dismissed on 03.11.2023. Thus, the said order became final.

5. In view of the fact that the respondent had not participated in the physical verification test, question of considering him for selection to the post of Grade II Police Constable may not arise at all. Thus, the order impugned dated 03.01.2020 passed in W.P.(MD).No.23740 of 2019 is set aside and the Writ Appeal stands allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (A.D.M.C.,J.)
25.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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S.M.SUBRAMANIAM,J.
and
DR.A.D.MARIA CLETE,J.

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