



W.A(MD) No.343 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 16.02.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

**W.A(MD) No.343 of 2022
&
C.M.P.(MD)No.3421 of 2022**

P.Jegan

... Appellant / Petitioner

Vs.

**1.Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Chairman,
Egmore,
Chennai-8.**

**2.The Inspector General of Police / Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner Office Campus,
Egmore,
Chennai-8.**

**3.The Director General of Police,
Beach Road,
Chennai-4.**

... Respondents / Respondents



W.A(MD) No.343 of 2022

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed in W.P.(MD)No.19542 of 2021, dated 22.03.2022 on the file of this Court.

For Appellant : Mr.T.Aswin Rajasimman

For Respondents : Mr.Veerakathiravan
Additional Advocate General
assisted by
Mr.S.Shaji Bino
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The appellant participated in the recruitment process for the post of Sub Inspector of Police in the year 2019. He was successful in the written examination. He participated in the physical test and the endurance test also. He comes under BC General Category. The cut off marks for this category is 74.50. The petitioner was awarded only 74.25 marks and hence, he was not selected. Challenging the same, the appellant filed W.P.(MD)No.19542 of 2021.



W.A(MD) No.343 of 2022

WEB COPY

3. The appellant's case was that in the 100 meters running event, he completed the running within 13.26 seconds. But according to the stop watch reading maintained by the sports officers, the appellant completed his running only within 13.60 seconds. The learned single Judge vide order dated 22.03.2022 held that such issues cannot be judicially reviewed. Challenging the same, this appeal has been filed.

4. In fact, we wanted to dismiss the writ appeal by holding that after taking part in the event and signing in the relevant papers, the appellant cannot turn back and question the outcome. The principle of estoppel would squarely operate against the appellant.

5. But the learned counsel for the appellant drew our attention to the order dated 30.10.2024 made in W.P.No.27278 of 2021 passed by the Principal Seat. Paragraph Nos.9 to 13 reads as follows:-

“9. As seen from the videograph placed before this Court, both the petitioners appears to have completed the running test within 17 seconds. It is not understood as to on what basis, the Special Committee has concluded that the petitioners have failed to complete



the running test within 17.50 seconds. If Five Member Committee is to simply watch the videograph and state that the petitioners have not completed the running test or to specify the timings, without there being any basis for such assessment, the very purpose of constituting a Special Committee is defeated.

10. When this Court is able to view the videograph and prima facie ascertain that the petitioners have completed the running test within 17 seconds, this Court is unable to appreciate the manner in which the Special Committee evaluated the the performance of the petitioners. In all fairness, the Special Committee ought to have used a stopwatch in the presence of the petitioners as well as their counsel and thereby assessed the performance of the petitioners. But, there appears to be no such procedure that was followed nor any standard measurement is utilized for the purpose of assessing the performance of the petitioners. In the absence of any standard and transparent procedure that was adopted by the Special Committee, the very purpose of constituting the Special Committee and the purpose of this Court passing an order on 03.08.2021 is lost. Both the impugned orders were passed basing upon the report said to have been submitted by the Special Committee dated 23.08.2021 and this Court totally dissatisfied with the report submitted by the Special Committee as well as the manner in which the performance of the petitioners was assessed by the committee.

11. In the circumstances, this Court is of the considered view that both the impugned orders are liable to be set aside for want of proper application of mind and fairness in assessing the performance of the petitioners, who are aspiring for being appointed to the post of 'Sub-Inspector of Police'.

12. Though, this Court is able to ascertain prima facie came to



the conclusion that the petitioners have completed the running test within 17 seconds, this Court is not inclined to substitute its view to that of the Special Committee. However, this Court, having found that the report of the Special Committee and the procedure that was followed by the Special Committee in the manner of assessing the performance of the petitioners, is not inclined to acknowledge and accept the said report as well. Under the above circumstances, this Court is of the considered view that, it is necessary that the matter should be referred to an independent agency to assess the performance of the petitioners.

13. Accordingly, both the impugned orders bearing C.No.L1/7355/2020 dated 15.11.2021 are hereby set aside with further directions as under:-

(i) The respondents are directed to forward the original video recording of the running test performed by the petitioners to the Director, Department of Physical Education & Sports, University of Madras, Bharathiyar Campus, No.85/86, Spurtank Road, Chetpet, Chennai – 600 031, within a period of two weeks from the date of receipt of a copy of this order and in turn, Director, Physical Education is requested to examine the matter by himself or by placing before appropriate authority for the purpose of assessing the performance of the petitioners i.e., the time within which the petitioners have completed the 100 meters running test, and submit a report to the respondents within a further period of two weeks;

(ii) On receipt of the said report, the respondents shall act upon the same. In case, if the petitioners are found to have completed the running test within 17.50 seconds, the respondents shall consider the case of the petitioners for further recruitment process and thereafter, pass appropriate orders in accordance with law within a period of four



W.A(MD) No.343 of 2022

weeks from the date of receipt of the report.”

This order was also followed in W.P.No.31774 of 2025 dated 26.08.2025.

6. It is relevant to note that the writ petitioners therein were also candidates in the very same recruitment process. When the department had chosen to abide by those directions, it may not be fair to take a different stand in the present case.

7. We make it clear that we sustain the legal submissions advanced by the learned Additional Advocate General appearing for the department in *toto*. Only having regard to the special facts and circumstances, we are calling upon them to revisit the outcome in the appellant's case. The order of the learned single Judge is therefore set aside. The writ appeal is disposed of with the following directions:-

(i) The respondents are directed to forward the original video recording of the running test performed by the petitioner to the SDAT within a period of two weeks from



W.A(MD) No.343 of 2022

WEB COPY

the date of receipt of a copy of this order and in turn, the said authority is called upon to examine the matter by himself or by placing before an appropriate committee for the purpose of assessing the performance of the petitioner ie., the time within which the petitioner has completed the 100 meters running test and submit a report to the respondents within a further period of two weeks.

(ii) On receipt of the said report, the respondents shall act upon the same. In case, if the petitioner is found to have completed the running test within 13.50 seconds, the respondents shall consider the case of the petitioner and thereafter pass appropriate order in accordance with law within a period of four weeks from the date of the receipt of the report.

8. The appellant through his counsel gives an undertaking that if the outcome turns out to be in his favour, he will not lodge any claim for damages against SDAT. The benefits regarding seniority etc., will be



W.A(MD) No.343 of 2022

reckoned only from the date of the appointment.

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9. The Writ Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (R.K.M., J.)
16.02.2026

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

1. Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Chairman,
Egmore,
Chennai-8.
2. The Inspector General of Police / Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner Office Campus,
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G.R.SWAMINATHAN, J.
AND



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W.A(MD) No.343 of 2022

R.KALAIMATHI, J.

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W.A(MD) No.343 of 2022

16.02.2026