

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27.10.2017

CORAM
THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.Nos.1305 to 1307 of 2017
and
C.M.P.Nos.18187 to 18189 of 2017

M.M.Balu ...Appellant in W.A.1305/2017
A.J.Balaji ...Appellant in W.A.1306/2017
S.Vinoth ...Appellant in W.A.1307/2017/
petitioner in WP's

Versus

The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board,
Old Commissioner of Police Campus,
Pantheon Road, Egmore,
Chennai 600 008. ...Respondent in all the 3 cases/
Respondent in all WP's

Prayer: Writ Appeals filed under Clause 15 of the Letters Patent against the order dated 16.8.2017 passed in W.P.Nos.21203, 21204 and 21206 of 2017 on the file of this court.

Prayer in WP's: Petition filed under Article 226 of the constitution of India praying to issue a Writ of certiorarified Mandamus directing the respondent to call for the records bearing C.No.R2/150/2017 dated 27.07.2017 of the petitioner's in enrollment Nos.0204932, 0204532 and 0201004 and quash the same and direct the respondent to conduct the physical fitness lest for the petitioner in a fair manner for the recruitment of Grade II Police constables, Grade II Jail Warden (men) and Fireman 2017.

For appellant : Mr.L.Dhamodaran
For respondent : Mr.R.Prathapkumar, AGP

COMMON JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard learned counsel appearing for the appellants and Mr.R.Prathapkumar, learned Additional Government Pleader, who takes notice on behalf of the respondent.

2. It appears that the appellants/writ petitioners, who competed for the post of Grade II Police Constables, having being disqualified with regard to measurements, have challenged the same before the learned Single Judge and since the writ petitions have been dismissed by the learned Single Judge, have come up with the present writ appeals seeking indulgence of this court.

3. On perusal of the order passed by the learned Single Judge and the submissions made on behalf of the appellants is that the measurements were not taken in a fair manner and hence, they require the measurements to be taken once again. It appears that the learned Single Judge has observed that there is an appeal remedy available to the appellants/writ petitioners and no proof is shown to show that they had availed such remedy.

4. In the light of the above, we do not want to interfere with the order passed by the learned Single Judge, however, we permit the appellants/writ petitioners to avail the efficacious remedy available to them as indicated by the learned Single Judge, within a period of fifteen days from the date of receipt of a copy of this judgment. The writ appeals are disposed of accordingly. No costs. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssk.

To:

The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Campus,
Pantheon Road, Egmore, Chennai 600 008.
+1cc to the Government Pleader Sr. 76368
+3cc to Mr.L.Dhamodaran, Advocate Sr. 76512,76514, 76513

W.A.Nos.1305 to 1307 of 2017

SJ(CO)
VR(07/11/2017)