

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 10834 of 2017

Date : 19.4.2017

Between :

Oggu Vijay Kumar S/o Oggu Chandraiah
R/o H No. 2-103/1. Fathepuram
Nered Cherla, Nalgonda

Petitioner

And

The State of Telangana
Rep by its Secretary (Home Department)
Secretariat Building, Hyderabad and others

Respondents

The Court made the following:



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ORAL ORDER:

Petitioner participated in the selections for recruitment to the post Stipendiary Cadet Trainee Police Constable. According to petitioner, he belongs to Schedule Caste and local candidate of Nalgonda district. He secured 100 marks and cut off marks prescribed was 94.2, therefore it is contended that ignoring him from selection and selecting less meritorious candidate is illegal. Specific averments to this extent are made in paragraphs 8 and 9 of the affidavit filed in support of the writ petition.

2. Alleging all these averments, petitioner sought to contend that even though he secured better merit, he could not have been ignored. In paragraph 5, petitioner has extracted the procedure of selection also. Thus, petitioner was conscious of the selection procedure.

3. As per the information furnished to the petitioner in the hall ticket, petitioner was required to appear for physical measurement on 25.10.2016. On 17.4.2017, when the matter was heard, learned Government Pleader on instructions submitted that though petitioner secured merit, he was not selected, as he was found deficient in height in the physical measurement conducted. It was seriously disputed by the learned counsel for petitioner. Learned counsel for petitioner by placing reliance on the physical measurement conducted in the 2011, contended that petitioner could not have been disqualified on the ground of shortage of height. Having regard to these conflicting statements, Government Pleader was directed to produce original record of physical measurement conducted on 25.10.2016. The record is produced. In the tabulated statement for Batch No. 6, name of the petitioner is shown against serial No.8 bearing registration No. 343560; in the height measurement column it is recorded as 167.3 and in the remarks column, it was written as 'not qualified' and in column No.10 signatures of the candidates were taken and petitioner's

signature was also obtained. It is thus clear that petitioner participated in the height measurement and was found short of required height and petitioner signed in the relevant entry. There is no whisper in the affidavit filed in support of the writ petition on the physical measurement conducted on petitioner and that he was found short of the height. Petitioner relied only on the ground that he secured more merit and he should have been appointed.

4. Having regard to the fact that petitioner was disqualified in height measurement, even if he secured merit no direction can be issued for his appointment. Requirement of height and other criteria were equally relevant for selection to the post of Police Constable. Petitioner disqualified in height measurement and he cannot seek employment. Writ petition merits no consideration and accordingly the same is dismissed. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

DATE: 19.4.2017
TVK



P NAVEEN RAO,J

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