

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 21.12.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. NOS. 26335, 24248, 24545, 24546, 24547, 24973 TO 24976,
25027,

25028, 25250, 25251, 25921, 26468, 26774 & 27387 OF 2018
AND

W.M.P. NOS. 28262, 28571 TO 28579, 29018 TO 29021, 29068, 29069,
29361, 29362, 30124, 30608, 30611, 30760 & 31887 OF 2018

1 S.MATHIMARAN ... PETITIONER in WP No.26335 of 2018

1 DHARMASASTHA ... PETITIONER in WP No.24248 of 2018

1 V.ARASAKUMAR ... PETITIONER in WP No.24545 of 2018

1 J.EZHILARASU ... PETITIONER in WP No.24546 of 2018

1 V.VIJAYAKUMAR ... PETITIONER in WP No.24547 of 2018

1 M.VELU ... PETITIONER in WP No.24973 of 2018

1 D.KAVIYARASU ... PETITIONER in WP No.24974 of 2018

1 A.RAVICHANDRAN ... PETITIONER in WP No.24975 of 2018

1 M.RAJAMANICKAM ... PETITIONER in WP No.24976 of 2018

1 V.SRIRANGAM ... PETITIONER in WP No.25027 of 2018

1 PUSHPARAJ ARJUNAN ... PETITIONER in WP No.25028 of 2018

1 T. SUJATHA ... PETITIONER in WP No.25250 of 2018

1 D. NANDHINI ... PETITIONER in WP No.25251 of 2018

1 G.MOORTHY ... PETITIONER in WP No.25921 of 2018

1 R.PANDIYAN ... PETITIONER in WP No.26468 of 2018
1 G.P.MURALI ... PETITIONER in WP No.26774 of 2018
1 S.BALAJI ... PETITIONER in WP No.27387 of 2018

- Vs -

1. The Tamil Nadu Uniformed Services
Recruitment Board, rep. by
its Chairman
Old Commissioner of Police Office Campus
Pantheon Road, Egmore, Chennai - 8.

2. The Chairman
Sub-Committee
Tamil Nadu Uniformed Services
Recruitment Board
Old Commissioner of Police Office Campus
Pantheon Road, Egmore, Chennai - 8.

... Respondents in WP.26335 of 2018

The Member Secretary,
Tamilnadu Uniformed services Recruitment Board,
O/o.Old Commissioner of Police Campus,
Pantheon Road, Egmore,
Chennai 600 008. R1 in WP. 26468/18 26774/18

The Tamilnadu Uniform Service Recruitment Board,
Represented by its Chairman,
Old Commissioner of Police,
Egmore, Chennai 600 008.

R1 in WP 24248/18, 24545, 24546, 24547/18

The Chairman/Director General of Police,
Tamilnadu Uniformed Services Recruitment Board,
Pantheon Road,
Egmore, Chennai - 8. R1 WP. 25921/18

Tamilnadu Uniformed Services Recruitment Board,
Represented by its Chairman (DGP) old Commissioner of
Police Campus, Pantheon Road,
Egmore, Chennai 600 008.

Petitioner in R1 WP 24973/18
24974, 24975, 24976, 25027, 25028,
25250, 25251/18

The Chairman,
Sub committee,
Tamilnadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai 600 008.

R2 24545, WP24546/18, 24547,
24973, 24974, 24975, 24976, 25027,
25028, 25250, 25251, 26774/18, R1
in WP 27387/18

The Director General of Police,
Beach Road, Chennai.

R2 in WP. 24248/18

The Chairman,
Sub Committee and Deputy Inspector General of Police,
Villupuram Range, Villupuram

R3 WP. 24248/18, R2 25921/18

The Inspector of Police,
In-Charge Officer,
Tamilnadu Uniformed Services Recruitment Board,
Old Commissioner of Police Campus,
Pantheon Road, Egmore,
Chennai 600 008.

R3 WP.26774/18

The Chairman,
Sub Committee and Deputy Inspector General of Police,
Villupuram Range, Villupuram 605 602,
Villupuram Centre,
Villupuram District.

R2 WP.26468/18

W.P. No. 26335 of 2018 filed under Article 226 of the constitution of India praying this Court to issue a writ of certiorarified mandamus to call for the records pursuant to the impugned order issued by the 2nd respondent in Proceeding No.C.No.R2/5474/2018 dated 08.09.2048 and quash the same and consequently direct the respondents to permit the petitioner to participate in the Endurance Test and Physical Efficiency Test.

WP No.24248 of 2018
To call for the records in connection with the impugned order C.No.R2/ 5474/ 2018 dated 07.09.2018 on the file of the 3rd respondent and quash the same as illegal and direct the

respondents to re-measure the height and allow the petitioner to participate in the further course of selection and consequently to appoint the petitioner in the post of Grade II Police Constable (Men, Women & Transgender) Gr. II Jail Warder (Men & Women) and Firemen for the year 2017-18 if found fit

WP No.24545 of 2018

To call for the records in pursuant to the impugned order issued by the 2nd respondent in proceeding No.C.No.R2/ 5474/2018 dated 07.09.2018 and quash the same and consequently direct the respondents to permit the petitioner to participate in the Endurance test and Physical Efficiency Test for recruitment to the post of Grade II Police Constable, Grade II Jail Warder & Firemen for the year 2017-2018

WP No.24546 of 2018

To call for the records in pursuant to the impugned order issued by the 2nd respondent in proceeding No.C.No.R2/ 5474/2018 dated 07.09.2018 and quash the same and consequently direct the respondents to permit the petitioner to participate in the Endurance test and Physical Efficiency Test for recruitment to the post of Grade II Police Constable, Grade II Jail Warder & Firemen for the year 2017-2018

WP No.24547 of 2018

To call for the records in pursuant to the impugned order issued by the 2nd respondent in proceeding No.C.No.R2/ 5474/2018 dated 07.09.2018 and quash the same and consequently direct the respondents to permit the petitioner to participate in the Endurance test and Physical Efficiency Test for recruitment to the post of Grade II Police Constable, Grade II Jail Warder & Firemen for the year 2017-2018

WP No.24973 of 2018

Calling for the records relating to the order of the 2nd respondent made in C.No.R2/ 5474/ 2018 dated 07.09.2018 (Disqualification Slip) issued to the petitioner (Enrolment No.0604000) and quash the same and further directing the respondents to consider the claim of the petitioner for appointment for the post of GR.II - PC, Jail Warden, Firemen in the Common Recruitment 2017-2018

WP No.24974 of 2018

Calling for the records relating to the order of the 2nd respondent made in C.No.R2/ 5474/ 2018 dated 08.09.2018 (Disqualification Slip) issued to the petitioner (Enrolment No.0614914) and quash the same and further directing the respondents to consider the claim of the petitioner for appointment for the post of GR.II - PC, Jail Warden, Firemen in the Common Recruitment 2017-2018

WP No.24975 of 2018 and 24976/18
Calling for the records relating to the order of the 2nd respondent made in C.No.R2/ 5474/ 2018 dated 07.09.2018 (Disqualification Slip) issued to the petitioner (Enrolment No.0601156, 0612343) Respectively and quash the same and further directing the respondents to consider the claim of the petitioner for appointment for the post of GR.II - PC, Jail Warden, Firemen in the Common Recruitment 2017-2018.

WP No.25027 of 2018 and 25028/18

Writ of certiorarified Mandamus Calling for the records relating to the order of the 2nd Respondent made in C.No.R2/5474/2018 dated 07.09.2018 (Disqualification Slip) issued to the Petitioner (Enrolment No.0608112, 0605108 Respectively) and quash the same and further directing the Respondents to consider the claim of the Petitioner for appointment for the post of GR.II - PC, Jail Warden, Firemen in the Common Recruitment 2017-2018.

WP No.25250 of 2018 and 25251/18

Calling for the records relating to the order of the 2nd respondent made in C.No.R2/5474/2018 dated Nil 10.09.2018 respectively (Disqualification Slip) issued to the Petitioner (Enrolment No.5700552, 5101074) Respectively and quash the same and further directing the respondents to consider the claim of the petitioner for appointment for the post of GR.II - PC, Jail Warden Firemen in the Common Recruitment 2017-2018.

WP No.25921 of 2018

Writ of Certiorarified Mandamus or any other appropriate writ of direction in the nature of writ calling for the records of the 2nd respondent in connection with the impugned order passed in C No.R2/5474/2018 dated 07.09.2018 and quash the petitioner as Grade-II police constable and grant.

WP No.26468 of 2018

writ of certiorarified mandmus calling for the entire records relating to the impugned disqualification slip issued by the 2nd respondent in his proceedings C.No.R2/5474/2018, dated 07.09.2018 and quash the same and consequently directing the respondents to select the petitioner for the post of Grade-II Police Constables, Grade-II Jail Wardens and Firemen 2017-2018 as per common recruitment conducted by the tamilnadu Uniformed Services Recruitment Board

WP No.26774 of 2018
Call for the records of the second respondent bearing C No. R2/5474/2018 dated 07-09-2018 Enrolment No. 0108770 and quash the same and direct the second respondent to conduct the physical fitness test for the petitioner in a fair manner for the recruitment of Grade II Police Constables, Grade II jail Warden (Men) and Fireman 2017-2018.

WP No.27387 of 2018
calling for the records relating to the Impugned Disqualification Slip dated 8.9.2018 issued in Ref. C. No.R2/5474/2018 on the file of the respondent herein, quash the same and consequently direct the respondent herein to re conduct the Physical Measurement Test (PMT) to the petitioner.

For Petitioners: Mr. R.Prem Narayan in WP 26335/18

For Respondent : Ms. Narmadha Sampath, AAG, assisted by
Mr. Kathirvelu, Spl. GP for RR-1 & 2

For Petitioner W.P. 24248/18 : V.Neethidurai

For Respondent in WP. 24248/18: Narmadha Sampath
AAG and by
Mr.V.Karthirvelu Special
Government Pleader
for R1 , R3 and
Mr.A.N.Thambidurai
Special Government Pleader for R2

For Petitioner:WP. 24545 to 24547/18 : R.Prem Narayan

For Respondent: Narmadha Sampath AAG,
Assisted by V.Kathirvelu
Special Government Pleader T/N R1-R2

For Petitioner: WP.24973/18 & to 24976/18, 25027 & 25028/18
25250 to 25251/18
V.M.Venkatearaman

For Respondent: Narmadha Sampath AAG
Assisted by Mr.V.Kathirvelu,
Special Government Pleader for R1, R2

For Petitioner : S.Sivakumar WP. 25921/18

For Respondent : Narmadha Sampath AAG
Assisted by Mr.V.Kathirvelu R1, R2

For Petitioner : WP. 26468/18 C.Prakasam

For Respondent : Narmadha Sampath AAG,
Assisted by Mr.V.Kathirvelu
Special Government Pleader R1, R2

For Petitioner: WP.26774/18 : L.Dhamodaran

For Respondent : Naramadha Sampath AAG Assisted by
Mr.V.Kathirvelu
Special Government Pleader R1 to R3

For Petitioner: K.Govi Ganesan WP. 27387/18

For Respondent: Narmadha Sampath AAG Assisted by Mr.V.Kathirvelu
Special Government Pleader for Respondent.

ORDER

The present petitions have been filed by the respective petitioners seeking quashment of the order passed by the respondents and for a further direction to the respondents to permit the petitioners to participate in the Endurance Test and Physical Efficiency Test.

2. Since the issue involved in the petitions concern the measurement taken by the respondents, which has been put in issue before this Court stating that the measurement has not been properly taken thereby depriving the petitioners from getting qualified, this Court, after hearing the parties to the lis, to give a quietus to the matter, vide order dated 7.12.2018, directed the respondents to remeasure the height of each of the petitioners in the above writ petition in the presence of the Registrar (Judicial) of this Court and the Registrar (Judicial) was directed to submit his report. Pursuant to the above direction, Registrar (Judicial) has submitted his report dated 19.12.2018, which is countersigned by Mr. A.G.Babu, IPS, Joint Commissioner of Police and Chairman of the Sub-Committee.

3. Learned Addl. Advocate General appearing for the respondents has given the list of persons, who are qualified in terms of the height measurements and those who are not qualified. A copy of the said list of qualified and disqualified persons, has been given to the learned counsel for the petitioners as well and the learned counsel for the

petitioners have accepted the report and submit that insofar as the persons, who have failed to clear the height measurements and persons, who were absent on the day of measuring the height, the writ petitions pertaining to the said petitioners may be dismissed.

4. In such view of the matter, W.P. Nos. 24248, 24545, 24546, 24547, 24976, 25251, 26468 and 26774 are dismissed.

5. In view of the petitioners in W.P. Nos. 24973, 24974, 24975, 25027, 25028, 25250, 25921, 26335 and 27387 of 2018 satisfying the height requirements, the said writ petitions are allowed. The petitioners in the abovesaid writ petitions are directed to appear before the respondents for undergoing further tests. The respondents are directed to issue necessary documents within a period of six weeks from the date of receipt of a copy of this order, enabling the petitioners in the above writ petitions to undergo the further tests by specifying the place and time where the further tests will be conducted. Consequently, connected miscellaneous petitions are closed. However, there shall be no order as to costs. The report of the Registrar (Judicial) dated 19.12.2019 shall form part of this order.

Xerox Copy of Registrar Judicial Report dated 19.12.2018 attached.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

GLN

To

1. The Chairman
Tamil Nadu Uniformed Services
Recruitment Board
Old Commissioner of Police Office Campus
Pantheon Road, Egmore, Chennai - 8.
2. The Chairman
Sub-Committee
Tamil Nadu Uniformed Services
Recruitment Board
Old Commissioner of Police Office Campus
Pantheon Road, Egmore, Chennai - 8.

- 3.The Member Secretary,
Tamilnadu Uniformed services Recruitment Board,
O/o.Old Commissioner of Police Campus,
Pantheon Road, Egmore,
Chennai 600 008.
- 4.The Chairman/Director General of Police,
Tamilnadu Uniformed Services Recruitment Board,
Pantheon Road,
Egmore, Chennai - 8.
- 5.The Tamilnadu Uniform Service Recruitment Board,
Represented by its Chairman(DGP),
Old Commissioner of Police,
Pantheon Road,
Egmore, Chennai 600 008.
- 6.The Director General of Police,
Beach Road, Chennai.
- 7.The Chairman,
Sub Committee and Deputy Inspector General of Police,
Villupuram Range, Villupuram
- 8.The Inspector of Police,
In-Charge Officer,
Tamilnadu Uniformed Services Recruitment Board,
Old Commissioner of Police Campus,
Pantheon Road, Egmore,
Chennai 600 008.
- 9.The Chairman,
Sub Committee and Deputy Inspector General of Police,
Villupuram Range, Villupuram 605 602,
Villupuram Centre,
Villupuram District.

+1cc to Mr.K.Goviganesan, Advocate, S.R.No. 64
+1cc to Mr.L.Dhamodaran, Advocate, S.R.No. 89884

W.P. NO. 26335, 24248, 24545,
24546, 24547, 24973 TO 24976,
25027, 25028, 25250, 25251,
25921, 26468, 26774 & 27387
OF 2018

JP(CO)
GN(30/01/2019)