

WRIT PETITION No. 28131 of 2018

Date :10.8.2018

Between:

Sri G Kiran Kumar S/o G B Narsing Rao
42 years
R/o Plot No. 83, Suraj Nagar Colony,
Ragannaguda, Turkayamjal, R R District

Petitioner

And

The State of Telangana
Rep by its Principal Secretary,
Revenue (Prohibition & Excise) Department
Secretariat Buildings, Hyderabad and others

Respondents

The Court made the following:



ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Excise and with their consent, the writ petition is taken up for disposal at the stage of admission.

2. Petitioner is working as Junior Assistant and aspiring for promotion to Excise Sub Inspector. According to petitioner, his claim for promotion was not considered only on the ground that he is falling short of the required height i.e., 163 cms. According to learned counsel on two occasions earlier, height of petitioner was measured i.e., first time on 4.10.2010 as 162.1 cms and second time on 9.1.2014 as 162.5 cms. As there is variation in measurement of the height, petitioner sought for conducting a fresh height measurement.

3. The record would disclose such request was made to the competent authority and same was rejected by order dated 29.4.2015 holding that there is no provision to undertake height measurement again and again. Except for harping on the ground that there is variation when the height was measured in the year 2010 and 2014, no other material is placed on record to state that he is qualified with reference to height and that his height is 163 cms or above. Thus, only on the basis of the assertion of the petitioner as to variation in height measurement on earlier occasions, in the absence of any other material, the decision of the respondents rejecting the request of undertaking height measurement cannot be faulted. Further, it is noticed that the decision communicated to the petitioner vide proceedings dated 29.4.2015 is not under challenge, but an independent declaration is sought. Thus, the writ petition is liable to be dismissed and accordingly dismissed. However, it is needless to observe that it is open to the petitioner on his own to undertake height measurement and if he has sufficient material to show that his height is 163 cms or above, he may request the competent authority to undertake the exercise of fresh height measurement in accordance with procedure envisaged. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 10-08-2018

HONOURABLE SRI JUSTICE P. NAVEEN RAO



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