

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21644 of 2019
and
W.M.P.No.20869 of 2019

Jegan

... Petitioner

Vs.

The Chairman,
Tamil Nadu Forest Uniform Service-
Recruitment Board,
Panagal Maligai, 9th Floor, Jenis Salai,
Saidapet, Chennai - 600 015.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the representation of the petitioner dated 05.07.2019 in accordance with law by holding the height of the petitioner as 163 C.M and appointing him as Forester in the Tamil Nadu Forest Department.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.M.Elumalai
Government Advocate

O R D E R

This Writ Petition has been filed by the petitioner, seeking for the issuance of Writ of Mandamus, to direct the respondent to consider the representation of the petitioner dated 05.07.2019 by declaring the height of the petitioner has 163 c.m and appoint him as Forester in the Forest Department.

2. According to the Petitioner he is a post graduate and belonging to Hindu Adi Dravidar (SC) Community. He applied for

the post of Forester pursuant to the notification issued by the Tamil Nadu Forest Uniformed Services Recruitment Committee. He successfully came out both in written test and physical test. The petitioner claims that Physician also issued a certificate, certifying his height has 163 c.m. However, the grievance of the petitioner that his selection was declined by the respondent holding that his height was 162.8 c.m. The petitioner made a representation on 05.07.2019 to the respondent seeking to consider his claim for selection by treating as height as 163 c.m since he produced a certificate to that effect. However, as no response is forthcoming from the respondent the petitioner is before this Court.

3. The learned counsel for the petitioner would submit that the petitioner belongs to Hindu Adi Dravidar (SC) community and first generation of post graduate in his family. He would further submit that all along the petitioner came out successful in both written test and physical test but due to megre difference in height, his selection was declined. The learned counsel would point out that the petitioner originally 163 c.m and a certificate issued by the Physician was also produced but, the respondent did not consider the same and a representation to that effect was also made but, the same is also not considered by the respondent. Therefore the learned counsel would urge this court to allow the writ petition as prayed for.

4. Considering the facts and circumstances, and the submissions made by the learned counsel for the petitioner this Court directs the respondent to consider representation dated 05.07.2019 made by the petitioner and pass appropriate orders on merits within a period of twelve weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

The Chairman,
Tamil Nadu Forest Uniform Service
Recruitment Board,
Panagal Maligai,
9th Floor, Jenis Salai,
Saidapet,
Chennai - 600 015.

+lcc to Mr.R.Sankarasubbu, Advocate, S.R.No.82372

W.P.No.21644 of 2019
and
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SJ(CO)
CS/31/10/2019



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