

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.33242 OF 2019

Gokul

... Petitioner

Vs.

1. The State Rep by its Deputy Inspector General of Police, Kancheepuram.
2. The Superintendent of Police, Kancheepuram District @ Kancheepuram Town.
3. The Tamil Nadu Uniformed Services Recruitment Board, Chennai - 9

... Respondents

Prayer:-

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, direct the 3rd respondent to consider the representation of the petitioner dated 07.11.2019 for the Recruitment to the post of Gr.II Police Constable / II Jail warder (Men) and Fireman (Men) for the year 2019 and reassess his height of the physical body of him.

For Petitioners : Mr.R.Rajasekar

For Respondents : Mr.R.S.Selvam, Government Advocate
for R1 & R2
Mr.V.Kathirvelu,
Special Government Pleader for R3

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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 3rd respondent to consider the representation of the petitioner dated 07.11.2019 for reassessment of his height of the physical body for the post of Police Constable.

2. According to the petitioner, he is a Graduate in B.SC Physics from Hindu American College at Cheyyar, Thiruvannamalai

District and qualified in the year 2018-2019. He has applied for the post of Selection of Police Constable Gr.II, Jail Warder Gr.II and Fireman - 2019. He successfully came out both in written test and physical test. The petitioner claims that physician also issued a certificate, certifying his height as 171.5 cm. However, the grievance of the petitioner is that his selection was declined by the respondent holding that the height of the petitioner as 169 cm, though he produced a certificate to that effect. The petitioner in this regard has made a representation dated 07.11.2019 to the 3rd respondent to consider his claim for reassessing his height. Since, no response is forthcoming from the respondents, the petitioner is constrained to file this writ petition.

3.The learned counsel appearing for the petitioner submitted that all along the petitioner came out successful in both written test and physical test but due to meager difference in height, his selection was declined. The learned counsel would point out that the petitioner's original height was 171.5 cm and in order to substantiate the same, the petitioner produced a certificate from the physician but the respondent did not consider the same. A representation in this regard was also submitted but the same was also not considered by the respondent. Therefore, the learned counsel would urge this court to allow the writ petition as prayed for.

5.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the 3rd respondent to consider the representations of the petitioner dated 07.11.2019 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above direction, the writ petition stands disposed of. No costs.

सत्यमेव जयते Sd/-

Assistant Registrar(CS VI)

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WEB COPY Sub Assistant Registrar

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To

1. The State Rep by its
Deputy Inspector General of Police,
Kancheepuram.

2. The Superintendent of Police,
Kancheepuram District @ Kancheepuram Town.

3. The Tamil Nadu Uniformed Services Recruitment Board,
Chennai - 9

+1cc to Mr.R.Rajasekar, Advocate, S.R.No.98749

+1cc to the Government Pleader, S.R.No.99408

W.P.No.33242 of 2019

RV (CO)
CS/05/12/2019



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