

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.33245 of 2019 and
WMPNo.33702 of 2019

E.Banupriya

... Petitioner

Vs.

1. The Director General of Police,
Tamil Nadu Circle,
Mylapore, Chennai 600 004.
2. The Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office,
Pantheon Road, Egmore, Chennai
3. The Chairman /Sub Committee &
Deputy Inspector General of Police,
Villupuram Range, Villupuram District. ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of certiorarified Mandamus to call for the records made in C.No.R2/850/2019 dated 21.11.2019 on the file of 3rd respondent herein and quash the same as illegal and direct the 2nd respondent to recruit the petitioner as Grade II constable by holding her height as 157 cm to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

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

O R D E R

This writ petition has been filed by the petitioner seeking for the issuance of Writ of certiorarified Mandamus to call for the records made in C.No.R2/850/2019 dated 21.11.2019 on the file of 3rd respondent herein and quash the same as illegal and direct the 2nd respondent to recruit the petitioner as Grade II constable by holding her

height as 157 cm to secure the ends of justice.

2. According to the petitioner, she is a Graduate belonging to Hindu Adidraavidar (SC) Community. She has applied for the post of Selection of Police Constable Gr.II, Jail Warder Gr.II and Fireman - 2019. She successfully came out both in written test and physical test. The petitioner claims that physician also issued a certificate, certifying her height as 157 cm. However, the grievance of the petitioner is that her selection was declined by the respondent holding that the height of the petitioner as 156.4 cm, though she produced a certificate to that effect. The petitioner in this regard has made a representation dated 22.11.2019 to the 3rd respondent to review her height. The 2nd respondent issued an impugned order in C.No.R2/850/2019 dated 21.11.2019. Challenging the said order be illegal, the petitioner has filed 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, her selection was declined. The learned counsel would point out that the petitioner's original height was 157 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. The learned counsel for the petitioner submitted that it would suffice if a direction is given to the respondent to consider her representation.

4. Heard both sides.

5. Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 22.11.2019 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. Consequently, the connected miscellaneous petition is also closed. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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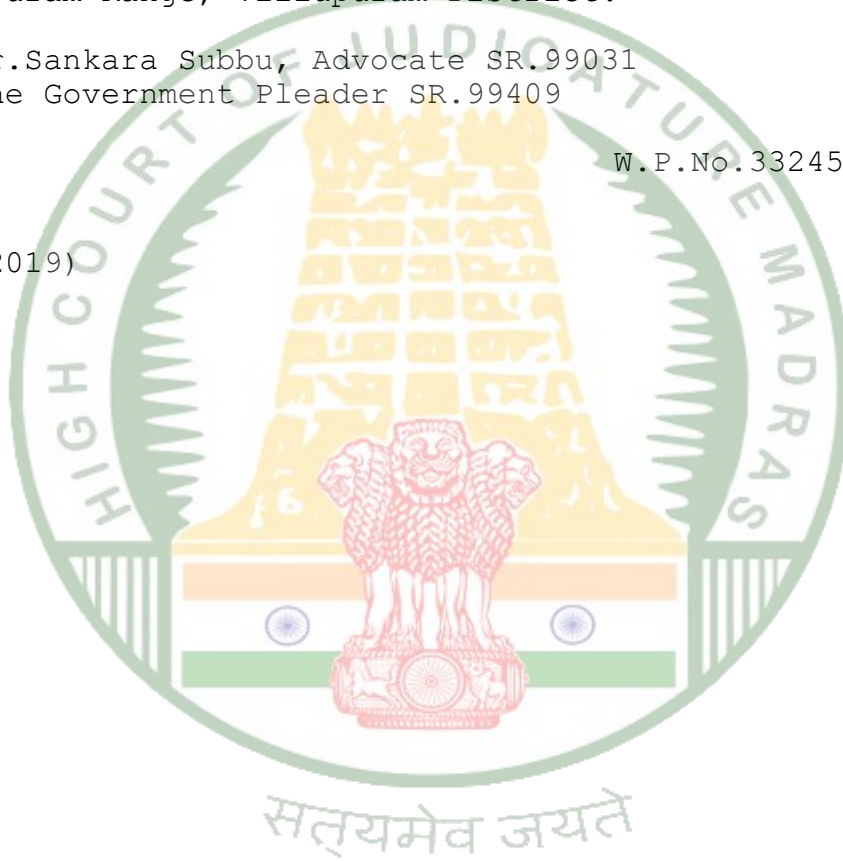
1. The Director General of Police,
Tamil Nadu Circle,
Mylapore, Chennai 600 004.
2. The Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office,
Pantheon Road, Egmore, Chennai
3. The Chairman /Sub Committee &
Deputy Inspector General of Police,
Villupuram Range, Villupuram District.

+1cc to Mr.Sankara Subbu, Advocate SR.99031

+1cc to the Government Pleader SR.99409

W.P.No.33245 of 2019

PVS (CO)
CB(31/12/2019)



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