



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD)No.19717 of 2019

and

W.M.P (MD)No.16199 & 16200 of 2019

WEB COPY

A.Sakthikumar

... Petitioner

Vs.

1.The Chairman,
Staff Selection Commission,
Block 12, CGO Complex,
Lodhi Road,
New Delhi-110 003.

2.The Commandant, (CRPF,
77BN, Head Quarters,
Avadi Chennai,
Tamilnadu-600 054.

3.The Deputy Commandants,
77BN, CRPF,
Member-1,
GC Avadi Centre,
Avadi Chennai-600 054,
Tamilnadu.

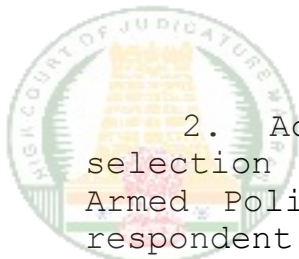
... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned rejection order dated 27.08.2019 and quash the same as illegal consequently directing the 1st and 2nd respondents to constitute a medical board and inclined the petitioner to further measuring the petitioner's height.

For Petitioner	: Mr.S.Muthukumar
For Respondents	: Mrs.S.Ragaventhri, for Mr.K.Prabhu, Central Govt. Standing Counsel

ORDER

The petitioner has filed the present writ petition challenging the order of rejection dated 27.08.2019 and for a direction to the respondents 1 & 2 to constitute a medical board to measure his height further.



2. According to the petitioner, he participated in the selection for recruitment of Constable (General Duty) in Central Armed Police Forces (CAPFs) notified on 21.07.2018 by the first respondent. The petitioner, in the written examination secured 43.88228 marks out of 100 marks. He was issued with E-admit card for participating in the Physical Standard Test (PST), Physical Efficiency Test (PET), which were conducted in the premises of the second respondent on 27.08.2019, presided over by the third respondent. According to him, he was declared as qualified in the Physical Efficiency Test, but he was rejected in the Physical Standard Test, on the ground that he is not having required minimum height of 170 c.m. The respondents declared the petitioner's height as 169.5 c.m. According to the petitioner, his height is 172 c.m., Hence, he filed an appeal before the second respondent. The second respondent without verifying the height of the petitioner, rejected the appeal. The petitioner came to his native place and got himself tested in Government Hospital, Thiruppuvanam, Sivagangai District. The doctor, who examined the petitioner, certified that he is physically fit and his height is 172 c.m. In such circumstances, he has come up with the present writ petition for the aforesaid prayer.

3. Heard the learned counsel appearing for the petitioner and the learned Central Government Standing Counsel appearing for the respondents and perused the materials available on record.

4. The grievance of the petitioner is that his height is 172 c.m. While the third respondent without properly measuring the height of the petitioner, has rejected the candidature of the petitioner on the ground that his height is only 169.5 c.m. The petitioner has produced a certificate issued by Dr.P.Sinna Ilangan, Senior Assistant Surgeon, working in the Government Hospital, Thiruppuvanam, to the effect that his height is 172 c.m.

5. In view of the same, the impugned order of rejection passed by the respondents, dated 27.08.2019, is set aside and the respondents 1 & 2 are directed to constitute a Medical Board to measure the height of the petitioner, within a period of two weeks from the date of receipt of a copy of this order and consider him for selection, if he is otherwise eligible.

6. In view of the above, the writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)



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+1CC TO MR.K.PRABHU, Advocate Sr. No.91772

+1CC TO MR.S.MUTHUKUMAR, Advocate Sr. No. 91826

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