

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.01.2020

CORAM :

THE HON'BLE MR.AMRESHWAR PRATAP SAHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.No.58 of 2020

M.Karthiselvam

.. Appellant

vs.

The Chairman/Sub-Committee,  
Tamil Nadu Uniformed Services Recruitment Board,  
Old Commissioner of Police Campus,  
Pantheon Road, Egmore,  
Chennai - 600 008.

.. Respondent

Appeal filed under Clause 15 of the Letters Patent against the order dated 14.11.2019 in W.P.No.31769 of 2019 on the file of this Court.

W.P.No.31769 of 2019:

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus Calling for the records relating to the Disqualification Slip issued in C.No.R2/850 /2019 dated 06/11/2019 and quash the same and consequently direct the respondent to declare the petitioner herein as qualified in Physical Measurement test for the posts of Grade -II Police Constable Grand -II Jail Warders and Fireman for the year 2019.

For Appellant

: Mr.M.G.Ramachandran

For Respondent

: Ms.Narmada Sampath  
Addl. Advocate General  
assisted by  
Mr.V.Kadhirvelu  
Spl. G.P. (Hr. Edn.)

JUDGMENT  
(Delivered by The Hon'ble Chief Justice)

Heard learned counsel for the appellant who contends that the appellant possesses the actual height as required under the advertisement and does not fall short of the same. The contention clearly is that the height measurement exercise conducted by the respondent is not in conformity with law and the appellant has been erroneously disqualified.

2. We have considered the submissions raised and perused the documents on record.

3. The learned Single Judge has recorded paragraph 2 of the status report filed on behalf of the State, which states that as per the provisions for carrying out the physical measurement test, an appeal is provided for to be filed by a candidate when the candidate is dissatisfied regarding the physical measurements.

4. In the instant case, 33 candidates had made an appeal under the aforesaid provision and they were re-measured, out of which 7 candidates succeeded, whereas 26 candidates, including the appellant herein, could not qualify the physical measurement test. The said physical re-measurement test was headed by the Chairperson of the Sub Committee along with the Medical Officer of the Government Headquarters Hospital as well as a Member of the Committee viz., Additional Superintendent of Police. The Appellate Authority was the Inspector General of Police, North Zone, Chennai and accordingly, on a re-check the appellant failed.

5. We are satisfied that such an exercise undertaken by the respondents is in conformity with the provisions and therefore, a writ petition questioning the same on the issue of physical measurement test cannot now be entertained, as the appellant had been given an opportunity to get his height re-checked.

6. The appeal fails and is hereby dismissed. No costs. Consequently, C.M.P.No.788 of 2020 is closed.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

The Chairman/Sub-Committee,  
Tamil Nadu Uniformed Services Recruitment Board,  
Old Commissioner of Police Campus,  
Pantheon Road, Egmore,  
Chennai - 600 008.

+1 CC to Mr.M.G.Ramachandran, Advocate sr 3968.

W.A.No.58 of 2020

MP (CO)  
SP (05/02/2020)