

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2020

CORAM :

THE HON'BLE MR.A.P.SAHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.No.224 of 2020

and CMP No.3441 of 2020

M. Arunkumar Appellant /Petitioner

-vs-

1.Tamil Nadu Uniformed Services Recruitment
Board, Rep. by its Chairman (DGP)
Old Commissioner of Police Campus,
Pantheon Road, Egmore, Chennai 600 008.

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

Appeal filed under Clause 15 of the Letters Patent against
the order dated 18.11.2019 passed in W.P.No.32248 of 2019 on the
file of this Court.

सत्यमेव जयते

Prayer in W.P.No.32248 of 2019:

Writ Petition is filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorarified
Mandamus calling for the records relating to the order of the
respondent made in C.No. R2/850/2019 dated 08.11.2019
(Disqualification Slip) issued to the Petitioner (Enrolment No.
0613411) and quash the same and further directing the respondent
to consider the claim of the petitioner based on the
representation dated 13.11.2019 for appointment for the post of
GR.II - PC Jail Warden Firemen in the Common Recruitment 2019.

For Appellant : Mr.V.M.Venkataramana

For Respondents : Mrs.Narmada Sampath
Addl. Advocate General V
assisted by
Mr.V.Kadhirvelu
Spl. Government Pleader
(Higher Education)

JUDGMENT

(Delivered by Subramonium Prasad,J.,)

This writ appeal has been filed assailing the impugned judgment dated 18.11.2019 of the learned Single Judge dismissing the writ petition of the appellant, where the prayer is for a direction to re-measure his height for the purpose of testing his eligibility in the physical examination as a candidate of Grade-II Police Constables, Grade-II Jail Warders and Firemen for the recruitment year 2019.

2. The issue is as to whether a writ petition can be filed for the relief sought for was decided by a Full Bench of this Court in the case of A.Parthiban and Others vs. Tamil Nadu Uniformed Services Recruitment Board and Another (W.A.No.8 of 2020, etc., batch) on 05.02.2020.

3. In view of what has been discussed by the Full Bench in the judgment dated 29.01.2020 relying on the facts stated in the status report filed by the State therein, and in the light of the findings arrived at, this appeal deserves to be allowed and disposed of with a direction to the first respondent to re-measure the height of the appellant.

4. We, accordingly, allow this appeal to the extent as indicated in the Full Bench judgment dated 29.01.2020 and direct the first respondent - Chairman, Tamil Nadu Uniformed Services Recruitment Board, Chennai-600 008, to carry out the physical examination tests of the appellant, as indicated in the Full Bench judgment dated 29.01.2020, within a period of fifteen days from today and accordingly proceed with the selections. In the event, the appellant clears the said physical examination tests, he shall be treated as eligible for further consideration. The measurement shall be carried out by the Digitized Electronic

Device, the reference whereof has been made in the Full Bench judgment dated 29.01.2020. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

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

+1cc to Mr.V.M.Venktraman, Advocate Sr.12282

W.A.No.224 of 2020

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सत्यमेव जयते

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