

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.No.285 of 2020
and C.M.P.No.4697 of 2020

T.M.Raja

.. Appellant

-VS-

1.The Member Secretary,
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.

3.The Superintendent of Police,
Thiruvallur, Thiruvallur District.

.. Respondents

Appeal filed under Clause 15 of the Letters Patent against the order dated 06.12.2019 passed in W.P.No.34112 of 2019 on the file of this Court.

For Appellant : Mr.L.Dhamodharan

For Respondents : Mrs.Narmadha Sampath
Addl. Adv. General
Assisted by Mr.V.Kathirvelu,
Spl.G.P.

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

Heard learned counsel for the appellant and learned Additional Advocate General for the State.

2.The appellant fell short of the required chest expansion measurement for selection on the post of Group-II Police Constable during the selection process. He has come up contending that the procedure deployed for such measurement was defective and that the appellant otherwise has been able to attain the required measurements in another selection relating to CRPF.

3.We have considered the submissions raised and we have also heard the learned Additional Advocate General, who submits that the chest expansion measurement is carried out on the spot at the time of physical inspection which is executed in terms of the rules, and the appellant having failed to acquire the required measurement on expansion, which fell short of 2 cms., there is no reason as to why there should be an interference under Article 226 of the Constitution of India.

4.Having considered the submissions raised, we are of the view that there is no such material so as to indicate either any malafides or any procedural flaw so as to establish that the measurement carried out at the time of chest measurement of the appellant was flawed in any way or was in violation of any rules. There cannot be an enquiry into this, inasmuch as this being a matter of exercise undertaken by the respondents and the absence of any malafides or any violation of the rules or procedural flaw disentitles the appellant from approaching this Court under Article 226 of the Constitution of India.

The Writ Appeal is, accordingly, dismissed. No costs.
Consequently, C.M.P.No.4697 of 2020 is also dismissed.

(A.P.S., CJ.) (S.K.R., J.)
03.06.2020

Index : Yes/No

sra

To

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WA.No.285 of 2020

The Hon'ble Chief Justice
and
Senthilkumar Ramamoothy, J.

(sra)



W.A.No.285 of 2020

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