

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2021

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.7915 of 2021
and W.M.P.No.8455 of 2021

S.Anjalin Priyadharshini

... Petitioner

-vs-

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.
2. The Deputy Commissioner of Police,
Administration (G) Head Quarters,
Greater Chennai Police, Veppery,
Chennai-600 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified, calling for the records in connection with the impugned order passed by the 2nd respondent in Na.Ka.No.R&T(1)/09/26555/2019 dated 08.01.2021 and quash the same and further direct the respondents to appoint the petitioner as Grade-II Police Constable (Armed Reserve).

For Petitioner : Mr.S.Sivakumar

For Respondents: Mrs.P.Rajalakshmi,
Addl. Govt. Pleader

ORDER

This writ petition has been filed, challenging the order dated 08.01.2021 made in Na.Ka.No.R&T(1)/09/26555/2019, by which her request for appointment as Grade-II Police Constable (Armed Reserve) was rejected pursuant to the medical report. The petitioner also sought a direction to the respondents to appoint the petitioner as Grade-II Police Constable (Armed Reserve).

2. According to the Petitioner, pursuant to Advertisement No.1/2019, dated 06.03.2019, she had subjected himself to selection to the post of Grade-II Police Constable (Armed Reserve), which is based on written examination followed by physical measurement test, Certificate verification and Viva voce, thereto. Though the Petitioner was meritorious throughout the selection process, after being subjected to medical examination, she was issued with the impugned order dated 08.01.2021 based on two medical reports with the impression "Both eye refractive error" & "Both eyes unfit due to refractive error", pursuant to which, she was not selected for the post of Grade-II Police Constable (Armed Reserve). Challenging the same, the Petitioner has come up with the present Writ Petition.

3. Learned counsel for the Petitioner drew the attention of this Court to the judgment dated 15.02.2021 rendered by the Madurai Bench of this Court in W.A.(MD) Nos.941 to 953 of 2020, wherein, in a similar circumstance, it was observed as under:

"9. At this juncture, the learned Senior Counsel appearing for the Respondents submitted that, a direction may be issued to give appointment orders, as the Respondents are awaiting for quite sometime despite having become qualified with their names in the provisional list.

10. We are inclined to agree with the said submission made. Accordingly, the appellants are directed to give appointment orders to the Respondents within a period of six weeks from the date of receipt of a copy of this judgment."

4. Learned Additional Government Pleader appearing for the Respondents submitted that, if there is no proper eye-sight, candidature of the Petitioner has to be rejected. However, she fairly stated that, there is an observation of the Madurai Bench of this Court as pointed out by the learned counsel for the Petitioner.

5. Heard the learned counsel on either side and perused the material documents available on record.

6. In the light of the judgment dated 15.02.2021 passed by this Court in W.A.(MD) Nos.941 to 953 of 2020, this Court directs the 2nd Respondent herein to consider the case of the Petitioner for appointment to the post of Grade-II Police Constable (Armed Reserve), if she is otherwise eligible, and pass appropriate orders and in accordance with law, and if there are no other legal impediments, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To:

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.
2. The Deputy Commissioner of Police,
Administration (G) Head Quarters,
Greater Chennai Police, Veppery,
Chennai-600 008.

+1cc to Mr.S.Sivakumar, Advocate, S.R.No.20733

W.P.No.7915 of 2021

CB(27/04/2021)



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