

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.01.2021

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.16191 of 2020 and
WMP No.20215 of 2020

R.Balaji

...Petitioner

Vs.

1. Tamil Nadu Uniformed Services Recruitment Board,
Rep. by its Chairman,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai - 600 008.
2. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai - 600 008.
3. The Chairman Sub-Committee/Member,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai - 600 008.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the order dated 06.10.2020 in C.No.R2/860/2019 passed by the 3rd respondent and quash the same, consequently directing them to allow the petitioner to participate in the remaining Physical Measurement Test (PMT), Physical Endurance Test (ET) and Physical Efficiency Test (PET) relating to the Direct Recruitment for the post of Sub-Inspector of Police (Taluk, Armed Reserve and Tamil Nadu Special Police) 2019 in the presence of their senior officers or any other officer as this Court may deem fit.

For Petitioner : Mr.M.Pragadeeswaran
For Respondents : Mrs.Narmadha Sampath,
Additional Advocate General
assisted by Mr.V.Kadhirvelu,
Special Government Pleader

ORDER

The petitioner has come forward with the prayer seeking to quash the order dated 06.10.2020 made in C.No.R2/860/2019 passed by the 3rd respondent and consequently direct them to allow the petitioner to participate in the remaining Physical Measurement Test (PMT), Physical Endurance Test (ET) and Physical Efficiency Test (PET) relating to the Direct Recruitment for the post of Sub-Inspector of Police (Taluk, Armed Reserve and Tamil Nadu Special Police) 2019 in the presence of their senior officers or any other officer as this Court may deem fit.

2. According to the petitioner, the measurement of the height taken is not correct and it should be redone. The Height of the petitioner is 172 cm and since the device, namely, the digital machine used, did not show the correct measurement, there is a discrepancy in taking the correct measurement of height for the purpose of selection of Sub Inspector of Police. Based on the Selection criteria, in the case of men, the measurement of height should be 170 cm for all communities except SC, SC (A), ST for whom the measurement of height shall be 167 cm. In the present case, the petitioner belonged to BC community. The petitioner would submit that once the measurement is redone, he may be entitled to participate in other consequential test that may be conducted for the selected candidates to the post of Sub Inspector of Police (Taluk, Armed Reserve and Tamil Nadu Special Police) 2019.

3. Mrs.Narmadha sampath, learned Additional Advocate General appearing on behalf of the respondents would submit that the issue has also been concluded by the decision rendered by the Full Bench of this Court in W.A.Nos.8 to 12, 14 to 16, 23 & 24 of 2020, dated 05.02.2020. As directed by the Full Bench, the measurement has been done with the very same device, and if the candidate is not satisfied with the same, he is entitled to make an appeal before the Committee constituted by the Chairperson, Sub- committee, so that discrepancy if any, which could be sorted out. She would further submit that the physical measurement test has also been videographed. As the petitioner is disqualified in the height measurement, he is not entitled to seek one more height measurement test. She would further contend that the prayer sought for by the petitioner is for permitting him to participate in the remaining physical test and he has not sought for redoing the exercise of taking height measurement in which he was disqualified.

4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. This Court is not inclined to accept the contention of the respondents that the petitioner has not sought for re-measurement of the height and he only seeks permission of this Court to participate in the remaining physical measurement test. Once the Certiorari is granted, the exercise sought for by the petitioner has got to be redone.

6. However, in the present case, the petitioner is not entitled to the relief sought for, in terms of the orders of the Full Bench cited supra. The digital height measurement has been done with the same device and the same has been recorded through videographed. Hence, this Court is not inclined to grant the relief sought for by the petitioner. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True copy//

Sub Assistant Registrar

vum

To

1. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai - 600 008.
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+1cc to Mr.C.T.Prabhakar, SR.No.2462

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SV(CO)
KKV/04/03/2021