



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.20796 of 2021

and

W.M.P.Nos.22062, 22064 & 22068 of 2021
(Through Video Conferencing)

K.Kalaiyaran ... Petitioner

Vs

1.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road, Egmore, Chennai - 8.

2.The Chairperson,
Sub-Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road, Egmore, Chennai - 8.

3. The Member Secretary,
Sub-Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road, Egmore, Chennai - 8. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the Respondents in connection with the impugned order of disqualification slip passed by the second respondent dated 30.07.2021 and the consequential order passed by the first respondent in Na.Ka.No.R 4/270/3017/2021 dated 06.09.2021 and quash the same and direct the respondents to re-measure the petitioner and further allow the petitioner to participate in the next level of training and grant such other further relief.

For Petitioner : Mr.K.Venkataramani
Standing Counsel for
Mr.M.Muthappan

For Respondents : Mr.L.S.M.Hasan Fizal,
Government Advocate



ORDER

The learned counsel for the respondent submits that the physical measurement of those candidates who could not participate earlier was held on 22.09.2021. He submits that pursuant to order passed by allowing some of the candidates who had produced the medical certificates was also allowed. He further submits that the exercise is over and there is no further proposal to carry out the exercise.

2.The learned Senior Counsel for the petitioner however submits that on 22.09.2021 the physical measurement was not carried out by the respondents and therefore one more opportunity may be given to the petitioner to participate in the Physical Measurement Test. He further submits that the petitioner's appeal was rejected only on 06.09.2021. It is submitted that since the petitioner has the requisite height, one more opportunity may be given to the petitioner to participate in the physical measurement test.

3. The selection process cannot be kept in a fluid state. If the petitioner was disqualified, he has no right to interfere with the selection process. This Writ Petition is however disposed by directing the respondents to allow the petitioner and others who have approached this court to appear once more for physical measurement and other test, if the physical measurement and other tests were slated to be held on 22.09.2021, was not held on 22.09.2021. This concession is extended only because few orders have been passed earlier. It is made clear that this order shall not be construed as a fresh direction to hold a fresh round of test, if the process was completed on 22.09.2021 itself. In case, the respondent is proposing to hold such tests, the petitioner and others who have approached this court may be called for physical measurement test. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar



rgm/jas

To

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1. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road, Egmore, Chennai - 8.
2. The Chairperson,
Sub-Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road, Egmore, Chennai - 8.
3. The Member Secretary,
Sub-Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road, Egmore, Chennai - 8.

+1cc to M/s.M.Muthappan, Advocate, S.R.No.56371

+1cc to the Government Pleader, S.R.No.50910

W.P.No.20796 of 2021
and

W.M.P.Nos.22062, 22064 & 22068 of 2021

BS(CO)
SB(27/10/2021)