



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.16742 of 2020

and W.M.P. (MD) .No.13976 of 2020

Muneeswaran

... Petitioner

Vs

1.The Director General
CRPF (Recruitment Branch)
East Block - 07 Level - 4 Sector - 01
R.K.Puram,
New Delhi - 110066 (Ministry of Home Affairs)

2.The Deputy Inspector General
Recruitment Training Centre,
ITBP,
Ministry of Home Affairs Government of India,
Iluppakudi, Padamathur Post,
Sivagangai District.

3.Dr.Prag Vasistha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the calling for the records pertaining to the Impugned Order passed by the 2nd Respondent vide his Proceedings In ITBP/RTC Sivagangai / CT (GD) Rectt. Board / 2019 - 1046-48 dated 11/03/2020 and quash the same as illegal and consequently direct the 2nd Respondent to return the Petitioners Appeal dated 28/01/2020 (For Roll No.8207012997) and the Certificates annexed therewith preferred to the 2nd Respondent for re-medical examination for recruitment of Ct/GD-2018 and to direct the 2nd Respondent to consider his appeal which would be represented within a time frame that may be stipulated by this Court.

For Petitioner : Mr.A.Balaji

For Respondents : Mrs.L.Victoria Gowri

Assistant Solicitor General of India

O R D E R

The petitioner's candidature was rejected on the ground that the photograph and thump impression was not attested by the Doctor.



2.It is brought to the notice of this Court an Hon'ble the Division Bench of this Court, had passed an order, dated 05.02.2021 in **W.A.No.283 of 2021, in T.Ezhilarasan Vs. 1.The Deputy Inspector General (Recruitment), Directorate General CRPF, East Block - 07, Level 4, Sector 01, R.K.Puram, New Delhi, and others**, quashing a similar order of a candidate, which was originally rejected for want of attestation by the Doctor on the photograph and thumb impression, by the respondents and thereby permitted the applicant therein to participate in the selection process. Since, the very same reason has also been assigned in the present impugned order, thereby rejecting the petitioner's candidature, the petitioner is entitled to succeed.

3.Accordingly, the impugned order passed by the 2nd Respondent vide his Proceedings In ITBP/RTC Sivagangai / CT (GD) Rectt. Board / 2019 - 1046-48 dated 11/03/2020 is quashed. Consequently, the respondents are directed to subject the petitioner herein to further selection process without reference to the impugned disqualification of the Review Medical Examination, which has been quashed.

4.This Writ Petition stands allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Director General
CRPF (Recruitment Branch)
East Block - 07 Level - 4 Sector - 01
R.K.Puram,
New Delhi - 110066 (Ministry of Home Affairs)

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Deputy Inspector General
Recruitment Training Centre,
ITBP,

Ministry of Home Affairs Government of India,
Iluppakudi, Padamathur Post,
Sivagangai District.

+1 CC to M/s.A.BALAJI, Advocate (SR-15551[F] dated 08/04/2021)

Order made in
W.P. (MD) No.16742 of 2020
01.04.2021

AP(26/02/2021) 3P 4C