



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD)No.16125 of 2021

and

WMP.(MD).No.12989 of 2021

S. Abinaya ... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai- 08.

2. The Superintendent of Police,
Trichy District,
Sub Committee Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Trichy Centre,
Trichy District.

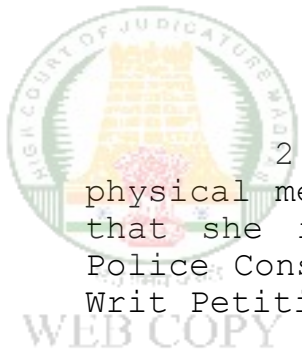
... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the second respondent made in Disqualification Slip No.Nil dated 03.08.2021 and quash the same as illegal and consequently issue direction to the respondents to conduct height Re-Measurement test to the petitioner, afresh by a qualified physical director and direct the respondents to allow the petitioner to participate in further selection process of Grade-II police constable/Grade II Jail Warden and Fireman for the year 2020.

For Petitioner : Mr. M. Suresh
For Respondents : Mr.Veera. kathiravan,
Additional Advocate General assisted by
Mr.A.K.Manikkam,
Counsel for State.

ORDER

This Writ Petition has been filed challenging the impugned disqualification order passed by the Respondent Board.



2. According to the Writ Petitioner, she has appeared for physical measurement test in the office of the respondent and found that she is not eligible for selection to the post of Grade-II Police Constable/Grade II Jail Warder and Firemen. Hence filed the Writ Petition before this Court.

3. The learned counsel appearing for the petitioner mainly contended that the writ petitioner is having eligible height of 159 cms., and the writ petitioner has produced the records before this Court to prove the same. However, the respondent has arbitrarily rejected the claim of the petitioner and held that the petitioner is disqualified in the aforesaid test. The learned counsel appearing for the petitioner requested before this Court that an opportunity may be granted to the petitioner for re-measuring the height and she is ready to participate in the height re-measurement test. If such request of the petitioner be considered, no prejudice will be caused to the respondent and hence, prays for appropriate orders.

4. On the said submission, the learned Additional Advocate General appearing for the respondent produced a final order passed by this Court in W.P.No.17820 of 2021, dated 26.08.2021, wherein, this Court has directed the petitioner therein to participate in the fresh physical test and fairly submitted that on the same line, the present Writ Petition may also be disposed of.

5. In the light of the aforesaid submission of learned Additional Advocate General and followed the earlier order passed by this Court in W.P.No.17820 of 2021, dated 26.08.2021, this Court is inclined to pass the following order:

i) The writ petitioner is directed to participate in the re-measurement of height test that is proposed to be conducted on 22.09.2021 at Trichy centre;

ii) The respondent shall take the said measurement only through the digital method and shall videograph the same;

iii) Based on the revised measurement taken by the respondent, the respondent shall take a final decision for the selection of the petitioner to the post of post of Grade-II Police Constable/Grade II Jail Warder and Firemen;

iv) the said exercise shall be completed as expeditiously as possible without any further delay and

v) It is open to the respondent, if any fresh writ petitions are filed, the same can also be agitated on the ground of laches.



6. With the above directions, this Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

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 Chairman,
Tamil Nadu Uniformed Services
Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai- 08.
2. The Superintendent of Police,
Trichy District,
Sub Committee Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Trichy Centre,
Trichy District.

+1 CC to M/s.M.SURESH, Advocate (SR-29164[F] dated 15/09/2021)

+1 CC to M/s.SPL. GP (SR-28962[F] dated 14/09/2021)

W.P. (MD) No.16125 of 2021

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