



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 11.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P(MD)No.18005 of 2021

and

W.M.P(MD)Nos.14868 and 14670 of 2021

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M.Barveen

... Petitioner

Vs

1.Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Member Secretary,
Old Commissioner of Police Office campus,
Pantheon Road, Egmore,
Chennai.

2.The Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Chairman,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai.

3.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorari mandamus, to call for the records pertaining to the impugned disqualification slip in Annexure 9 dated 22.09.2021 on the file of the second respondent and quash the same as illegal and consequently to direct the respondents to select and appoint the petitioner to the post of Grade II Constable as per Notification for the post of Grade II Constable / Grade II Jail Warder and Fireman 2020, dated 17.09.2020.

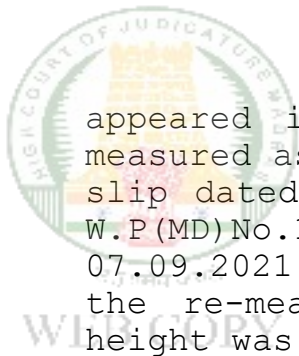
For Petitioner : Mr.Robert Chandrakumar.I

For Respondents : Mr.Veerakathiravan,
Additional Advocate General,
assisted by Mr.S.Saji Bino,
Special Government Pleader

ORDER

This writ petition has been filed challenging the disqualification slip issued by the respondents.

2.The learned Counsel for the petitioner submits that the petitioner has taken part in the Common Recruitment for the Posts of Gr.II Police Constable, Gr.II Jail Warder and Fireman, 2020. She has successfully completed the written examination. Subsequently, she



appeared in the physical endurance test, wherein her height was measured as 156.5 cms. As such she has been issued with disqualified slip dated 02.08.2021. Therefore, she has approached this Court in W.P(MD)No.14657 of 2021, wherein this Court by order dated 07.09.2021 ordered for a re-measurement of the height. Accordingly, the re-measurement was taken on 22.09.2021, even in which, her height was measured as 157cms and she has been again issued with the disqualification slip dated 22.09.2021. Therefore the petitioner is before this Court.

3.The learned Counsel for the petitioner submits that the actual height of the petitioner is 160cms as per the certificate issued by a Government Assistant Surgeon. Therefore, the respondents have not properly measured the height of the petitioner and due to the same petitioner's opportunity of getting employment is being affected.

4.The learned Additional Advocate General appearing for the respondents submits that the petitioner has taken part in the Common Recruitment for the Posts of Gr.II Police Constable, Gr.II Jail Warder and Fireman, 2020. After completing the written examination, she had appeared in the physical endurance test and her height was measured as 156.5 cms, against the required height of 159cms for BC(M) category. As such she has been disqualified vide order dated 02.08.2021 and the petitioner has filed a writ petition in W.P (MD)No.14657 of 2021 and this Court on 07.09.2021 ordered for a re-measurement of the height of the petitioner. Accordingly, re-measurement was taken on 22.09.2021 and her height was measured as 157cms against the requisite height of 159 cms. Therefore, the impugned disqualification slip dated 22.09.2021 came to be issued. The petitioner is not having the requisite height of 159cms and therefore, she has been disqualified.

5.This Court has paid its anxious consideration to the rival submissions and perused the materials placed on record.

6.The petitioner has appeared in the selection process for appointment to the post of Gr.II Police Constable, Gr.II Jail Warder and Fireman, 2020. In the physical endurance test, her height was initially measured as 156.5 cms, against the requisite height of 159 cms. Therefore, she was disqualified. Her height was re-measured based on the directions of this Court in W.P(MD)No.14567 of 2021, dated 02.08.2021. Even in the re-measurement her height was measured as 157cms as against the requisite height of 159 cms. The petitioner, who was initially disqualified, has been provided with another opportunity of re-measurement and even then she did not qualify by fulfilling the required eligibility criteria of 159 cms of height. As such the impugned disqualification slip does not warrant any interference of this Court. Therefore, this writ petition is liable to be dismissed.



7.In the result, this writ petition is dismissed.
No costs. Consequently connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (AE)

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/ /2022

Sub Assistant Registrar(CS)

dsk

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 Secretary to the Government of Tamil Nadu,
Home (Police) Department,
Fort St.George,
Chennai.
- 2.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office campus,
Pantheon Road, Egmore,
Chennai.
- 3.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore,
Chennai.
- 4.The Superintendent of Police,
Virudhunagar District,
Virudhunagar,

W.P(MD)No.18005 of 2021
11.01.2022

MGJ(02.03.2022) 3P 5C