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W.P. No. 8392 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8392 of 2023

and

W.M.P. No. 8572 of 2023

A. Dhanaraj

... Petitioner

-VS-

1. The Chairman cum Director General of Police,
Tamil Nadu Uniformed Services Recruitment Board (TNUSRB),
Old Commissioner of Police Campus,
Pantheon Road, Egmore, Chennai – 620 008.

2. Superintendent of Police (Law & Order),
Salem District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for records and quashing the communication dated 10.03.2023 issued by the First Respondent disqualifying the Petitioner by showing that he measured 90.5 c.m. in normal Chest Measurement and 95.1 c.m during the Chest Expansion vide Enrollment No. 2403979 of the Petitioner without affording the opportunity of appeal to him and consequently direct the Respondents to conduct further process of selection for the Petitioner bearing Enrolment No. 2403979 in the Grade II Police Constable Selection of the year 2022.



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For Petitioner : Mr. B.Thirumalai
For Respondents : Mrs. Sowmi Dattan (for R1)
Mrs. R.Anitha,
Special Government Pleader (for R2)

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ORDER

Heard Mr. B.Thirumalai, Learned Counsel for the Petitioner, Mrs. Sowmi Dattan, Learned Counsel for the First Respondent and Mrs. R.Anitha, Learned Special Government Pleader appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner had participated in the recruitment for selection to the post of Grade-II Police Constable for the year 2022. His measurement was 90.50 c.m. in normal and 95.10 c.m. during expansion which did not satisfy the requisite difference of 5 c.m. Aggrieved thereby, the Petitioner has challenged the proceedings dated 10.03.2023 passed by the First Respondent disqualifying him. This Court during the earlier hearing on 03.04.2023 passed the following self-explanatory order:-



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“ Since the video display of the earlier recording of the chest measurement of the Petitioner made is not clear, the Respondents shall conduct re-measurement of the chest expansion in respect of the Petitioner without prejudice to their contentions in the Writ Petition, and submit a report along with video recording made in that regard on the next hearing.

Post the matter on 12.04.2023.”

In furtherance to that order a report dated 11.04.2023 has been filed by the Respondents which reads as follows:-

“ 5. It is submitted that in compliance to the above interim order, an endorsement was sent to Petitioner instructing him to report at TNUSRB on 10.04.2023 at 11.00 a.m. For re-measurement of chest. On 10.04.2023, the Petitioner appeared at the Board for re-measurement of his chest. The Petitioner was measured as 93.0 cms in normal chest measurement and 99.0 cms during the chest expansion. The required chest for being 81.0 cms



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in normal chest measurement and 86.0 cms during the chest expansion, he has been qualified in the chest measurement test. The same has been acknowledged by the Petitioner through a letter dated 10.04.2023.

6. *It is submitted that, the Petitioner Tr.A.Dhanaraj during the chest measurement test before the Salem Sub Committee on 06.02.2023 had 90.5 cms in normal chest measurement and had 95.1 cm of expansion. He had an expansion of 4.6 cm against the required 5 cm and was ineligible for further process. However, he was inadvertently noted as qualified in his PET coding sheet and was allowed for subsequent tests. He qualified the Endurance Test and Physical Efficiency Tests. During scrutiny of PET coding sheet at TNUSRB, it was found that the Petitioner did not meet the prescribed standard of 5 cm expansion in chest measurement and was disqualified vide proceedings of the Superintendent of Police, Chairman, Salem Sub Committee in C.No. A3/3838401/2022, dated 10.03.2023.*



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7. *It is submitted that with 66 marks in the written examination and 20 marks in the Physical Tests, he has a total of 86 marks. Since the Petitioner got qualified in the chest re-measurement test, the Board has decided and included his name for the category of Gr.II Police Constable (TSP) in the final provisional selection list under his respective category.”*

In view of the aforesaid subsequent events, nothing remains for further consideration in the Writ Petition.

In fine, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

12.04.2023

skr

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 26.06.2023

To

1. The Chairman cum Director General of Police,
Tamil Nadu Uniformed Services Recruitment Board (TNUSRB),
Old Commissioner of Police Campus,
Pantheon Road, Egmore, Chennai – 620 008.



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2. Superintendent of Police (Law & Order),
Salem District.



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P.D. AUDIKESAVALU, J.

skr

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