



W.P.(MD)No.2839 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.2839 of 2023

and

W.M.P.(MD)Nos.2632 and 2634 of 2023

Vetrivel

... Petitioner

Vs.

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

2. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore Chennai.

3. The Superintendent of Police /
Sub Committee Chairman,
Tirunelveli Centre,
Opposite of Palayamkottai Old Bus Stand,
Palayamkottai,
Tirunelveli District.

... Respondents



W.P.(MD)No.2839 of 2023

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned disqualification slip dated 08.02.2023 issued by the third respondent and to quash the same as unsustainable and consequently to direct the respondents to re-measure the Chest of the petitioner and also permit the petitioner to participate in the subsequent selection process for the post of 'Grade-II Police Constable, Grade-II Jail Warden and Fire Man-2022' within a stipulated time that may be fixed by this Court in pursuant to the notification issued by the respondents vide Advertisement No.02/2022, dated 30.06.2022.

For Petitioner : Mr.P.Ponraj

For Respondents : Mr.Veerakathiravan
Additional Advocate General
Assisted by Mr.S.P.Maharajan
Special Government Pleader

O R D E R

Challenging the impugned disqualification slip issued by the third respondent and for a direction to the respondents to re-measure the Chest of the petitioner and also permit him to participate in the subsequent selection process for the post 'Grade-II Police Constable, Grade-II Jail Warden and Fire Man 2022' within a stipulated time that may be fixed by this Court in pursuant to the notification issued by the respondents via Advertisement No. 02/2022 dated 30.06.2022, this Writ Petition has been filed.



W.P.(MD)No.2839 of 2023

WEB COPY

2. The case of the petitioner is that he completed SSLC and Diploma in Mechanical Engineering. Pursuant to the notification dated 30.06.2022 issued by the Tamil Nadu Uniformed Services Recruitment Board for the post of Grade-II Police Constable, Grade-II Jail Warden and Fireman-2022, the petitioner has applied. On completion of the written examination, the petitioner was called for Certificate Verification and physical standard verification on 08.02.2023. During physical test, after taking height measurement as 166.8 cm in normal position, the petitioner was rejected stating that the height measurement should be 167 cm. However, on appeal to the third respondent, it was not considered. Hence, he preferred a representation on 08.02.2023. Since the same was not considered, the petitioner is before this Court with this Writ Petition.

3. The learned counsel appearing for the petitioner would submit that the petitioner's height measurement is measured as 166.8 cm. After taking measurement by the officials, the petitioner appealed to the third respondent. However, without permitting the petitioner to file an appeal, they denied the right of appeal. Hence, challenging the disqualification, the



W.P.(MD)No.2839 of 2023

petitioner is before this Court. The learned counsel would urge this Court to send the petitioner once again for physical measurement before the authorities within a stipulated time.

4. The learned Additional Advocate General appearing for the respondents would submit that if the petitioner prefers an appeal along with similarly situated persons, his height will be re-measured and appropriate orders will be passed.

5. In view of the fair submission made by both sides, the petitioner is directed to prefer an appeal within a period of one week from the date of receipt of a copy of this order. If the petitioner prefers an appeal before the appellate authority, they shall carry out the measurement once again by considering the petitioner's appeal and pass appropriate orders. However, this order is passed considering the facts and circumstances of the present case and it will not be shown as a precedent for any other case.



W.P.(MD)No.2839 of 2023

WEB COPY

6. The Writ Petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petitions are closed.

13.02.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
vji

To

1. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai.
2. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore Chennai.
3. The Superintendent of Police /
Sub Committee Chairman,
Tirunelveli Centre,
Opposite of Palayamkottai Old Bus Stand,
Palayamkottai,
Tirunelveli District.



WEB COPY



W.P.(MD)No.2839 of 2023

M.DHANDAPANI,J.

vji

**W.P.(MD)No.2839 of 2023
and
W.M.P.(MD)Nos.2632 and 2634 of 2023**

13.02.2023