



W.P.(MD)No.2881 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.2881 of 2023

and

W.M.P.(MD)Nos.2664, 2667 and 2668 of 2023

P.Muruganantham

... Petitioner

Vs.

1. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore Chennai - 600 008.

2. The Chairman / Sub Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai.

3. The Superintendent of Police /
Sub Committee Chairman,
Palayamkottai,
Tirunelveli District.

... Respondents

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 and further



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directing the respondents to re-measure the Chest of the petitioner and permit the petitioner to participate in the Physical Endurance Test and other recruitment process in the common recruitment to the post of 'Grade-II Police Constable, Grade-II Jail Warden and Fire Man-2022'.

For Petitioner : Mr.R.Maheswaran
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 Physical Endurance Test and other recruitment process in the common recruitment for the post of 'Grade-II Police Constable, Grade-II Jail Warden and Fire Man 2022', this Writ Petition has been filed.

2. The case of the petitioner is that 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



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written examination, the petitioner was called for Certificate Verification and physical standard verification on 08.02.2023. During physical test, after taking chest measurement as 80cm in normal position, the petitioner was rejected stating that the chest measurement should be 81cm in normal and 86cm in expansion. However, on appeal to the third respondent, it was not considered. Hence, the petitioner is before this Court with this Writ Petition.

3. The learned counsel appearing for the petitioner would submit that petitioner's chest measurement is measured as 80cm (normal) and 87cm (expansion). 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 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



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similarly situated persons, his chest 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.

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

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M.DHANDAPANI,J.

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