



W.P.(MD)No.3064 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.(MD)No.3064 of 2023
and
W.M.P.(MD)No.2865 of 2023**

Nishanth

... Petitioner

Vs.

1. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road,
Egmore Chennai.
2. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai.
3. The Deputy Chairman-cum-Superintendent of Police,
Sub Committee, Madurai Centre,
Madurai District

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorarified Mandamus, calling for the



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records on the file of the 3rd respondent in pursuant to the impugned disqualification slip (Height) issued vide his proceedings No.Nil dated 07.02.2023 (But the 3rd respondent wrongly issued the disqualification slip for chest) and quash the same as illegal and arbitrary and consequently direct the respondents to conduct Physical Measurement Test (Height) to the petitioner afresh by a qualified physical director within the time limit that may be stipulated by this Court.

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

ORDER

Challenging the impugned disqualification slip issued by the third respondent and for a direction to the respondents to conduct Physical Measurement Test (Height) to the petitioner afresh by a qualified physical director, this Writ Petition has been filed.

2. The case of the petitioner is that he completed degree in B.PEd., in Physical Education. Pursuant to the notification dated

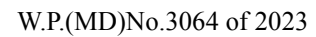


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30.06.2022 issued by the Tamil Nadu Uniformed Services Recruitment Board for the post of Grade-II Police Constable, Grade-II Jail Warden and Fireman-2022, the petitioner has applied for the post of Grade II Constable. On completion of the written examination, the petitioner was called for for Certificate Verification and physical standard verification on 07.02.2023. During physical test, after taking height measurement as 171 cm, and after re-measurement, the height was measured as 169.3 by the third respondent and the petitioner was rejected stating that the height measurement should be 170 cm. However, on appeal to the third respondent, again re-measurement was taken as 169.3 cm, which is by giving a punch in the petitioner's stomach. When the petitioner's height is 172 cm, the measurement made and the impugned rejection made is not sustainable and hence, challenging the same, 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 169.3 cm. After taking measurement by the officials, the petitioner appealed to the third



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.



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

22.02.2023

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

To

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M.DHANDAPANI,J.

vji

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