



W.P.(MD) No.3069 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD) No.3069 of 2023
and WMP(MD) No.2868 of 2023

Ayyanar

... Petitioner

-VS-

1.The Chairman

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

2.The Chairman/member,

Recruitment Sub-committee,
Tamil Nadu Uniformed Services Recruitment Board,
Madurai Centre,
Madurai.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 06.02.2023 passed by the second respondent and quash the same as illegal and consequently direct the respondents to conduct a fresh physical efficiency test for the petitioner (Enrolment Number:4001555) for the post of Grade-II Constable, Grade II



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Jail Warder and Firemen of Police in the Tamil Nadu Uniformed Services
Recruitment Board 2022.

For Petitioner : Mr.R.Venkatesan
For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by
Mr.S.P.Maharajan
Special Government Pleader

ORDER

Challenging the impugned disqualification slip issued by the 2nd respondent dated 06.02.2023 and for a direction to the respondents to conduct a fresh physical efficiency test for the petitioner (Enrolment Number:4001555) for the post of Grade-II Constable, Grade II Jail Warden and Firemen of Police in the Tamil Nadu Uniformed Services Recruitment Board 2022, this Writ Petition has been filed.

2. The case of the petitioner is that he belongs to the backward class community. Pursuant to the notification issued by the Tamil Nadu Uniformed Services Recruitment Board for the post of Grade II Police Constable, Grade II Jail Warden and Fireman, the petitioner has applied. On



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completion of the written examination, the petitioner was called for the physical measurement test. During physical measurement test, after taking height measurement, the petitioner was rejected stating that his height measurement is 168.4 cm, by the second respondent vide the impugned disqualification slip dated 06.02.2023. Challenging the same, the petitioner is before this Court with this writ petition.

3. The learned counsel for the petitioner would submit that the petitioner's height measurement has been measured as 168.4 cm in manually. However, his real height is 170 cm and the Officials of the respondents have failed to conduct the height measurement in the digital manner and did not properly measure the height. Hence, challenging the disqualification slip, 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 reasonable time.

4. The learned Additional Advocate General would submit that initially when height measurement of the petitioner was taken, it was



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168.4 cm and thereby the petitioner was disqualified at the initial stage.

However, he would submit that if the petitioner wants re-measurement, he may appear in future measurement.

5. In view of the fair submission made by both sides, the petitioner is directed to appear before the appellate authority in future measurement. If the petitioner appeared before the appellate authorities, they shall carry out the measurement once again 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. This Writ Petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

15.02.2023

NCC : Yes/No
Index : Yes/No
ssb



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To

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M.DHANDAPANI, J.

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