



W.P.(MD) No.3059 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD) No.3059 of 2023
W.M.P(MD).Nos.2859 and 2861 of 2023

Vijayakumar

... Petitioner

-VS-

- 1.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
No.807, 2nd Floor, Anna Salai,
Chennai-600 002.
- 2.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai-8.
- 3.The Chairperson,
Tamil Nadu Uniformed Services Recruitment Board,
Recruitment Sub Committee,
Madurai Centre,
Madurai.
- 4.The Member,
Tamil Nadu Uniformed Services Recruitment Board,
Recruitment Sub Committee,
Madurai Centre,



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Madurai.

5.The Administrative Officer,
Tamil Nadu Uniformed Services Recruitment Board,
Recruitment Sub Committee,
Madurai Centre,
Madurai.

6.The Superintendent of Police,
Madurai District,
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 entire records relating to the impugned disqualification slip dated 07.02.2023 issued by the respondents 3 to 5 to the petitioner and to quash the same as unsustainable and consequently to direct the respondents to re-measure the chest of the petitioner and also to permit the petitioner to participate in the next level of the selection process in Common Recruitment for the posts of Grade II Police Constables, Grade II Jail Warders, Firemen-2022, so as to enable the petitioner to get appointment in the above recruitment.

For Petitioner : Mr.M.S.Jeyakarthik

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



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ORDER

Challenging the impugned disqualification slip issued by the respondents 3 to 5 dated 07.02.2023 and for a direction to the respondents to re-measure the chest of the petitioner and permit him to participate in the next level of the selection process in common recruitment to the posts of Grade II Police Constables, Grade II Jail Wardens, Firemen-2022, this Writ Petition has been filed.

2. The case of the petitioner is that the second respondent has invited the applications from the eligible candidates for the posts of Grade II Police Constables, Grade II Jail Wardens and Firemen-2022, by issuing advertisement No.2/2022 and the petitioner has applied for the above said posts. On completion of the written examination, the petitioner was called for the physical measurement test. During physical test, after taking chest measurement, the petitioner was rejected stating that his chest measurement is 87.5 cm (normal) and 91.5 cm (expansion), by the respondents 3 to 5 vide the impugned disqualification slip dated 07.02.2023. Challenging the same,



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the petitioner is before this Court with this writ petition.

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3. The learned counsel for the petitioner would submit that initially, the petitioner's chest measurement is measured as 84 cm (normal) and 90 cm (expansion). However, again, the respondents measured his chest as 87.5 cm (normal) and 91.5 cm (expansion) and they did not properly measure the chest of the petitioner. Hence, challenging the disqualification slip, the petitioner has made representation to the respondents on 10.02.2023 to conduct re-measurement and permit him to participate in the next selection process, but there is no response. Hence, 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 chest measurement of the petitioner was taken, it was 87.5 cm (normal) and 91.5 cm (expansion) and thereby the petitioner was disqualified at the initial stage. However, he would submit that if the



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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 Petitions are closed.

15.02.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
ssb



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M.DHANDAPANI, J.

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