



W.P.(MD)No.3228 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.3228 of 2023

and

W.M.P.(MD).Nos.2997 and 2999 of 2023

T.Vinith

... 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 8.
- 3.The Superintendent of Police /Sub Committee
Chairman,
Madurai District.

... Respondents

PRAYER : Writ Petitions are filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for



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the records, relating to the impugned disqualification slip passed by the 3rd respondent against the petitioner vide his proceedings dated 07.02.2023 and to quash the same and further directing the respondent to re-measure the height 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 Warder, Fireman – 2022.

For Petitioner : M/s.M.Viji
For Respondents : Mr.Veera Kathiravan,
Additional Advocate General assisted by
Mr.S.P.Maharajan,
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned disqualification slip passed by the 3rd respondent against the petitioner vide his proceedings dated 07.02.2023 and to quash the same and consequently direct the respondents to re-measure the height 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 Warder, Fireman – 2022.



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2. The case of the petitioner is that he has participated in the selection process to the post of Combined Recruitment of Grade II Police Constable /Grade II Jail Warders /Firemen 2022 and successfully completed the written examination and also secured qualified marks in the written examination. Thereafter, on 07.02.2023, he has participated in the physical measurement test and he has more than 170 cm. height. As per the selection Notification, the qualified height to the MBC candidates is 170 cm. But, during the physical measurement test through the digital method, the third respondent and his subordinate officers did not properly measure his height and they disqualified him on the ground that the petitioner only having 168.9 cm. height. Challenging the same, the present writ petition has been filed.

3. Mr.Veera Kathiravan, learned Additional Advocate General, assisted by Mr.S.P.Maharajan, learned Special Government Pleader appearing for the respondents would submit that the present impugned order is wrong and the petitioner was already measured and his height is 170.0



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cm. and thereafter super check measurement was conducted again, since there was a malpractice in the earlier round of measurement and his height is 168.9 cm. However, the impugned order does not reveal the same. Hence, this Court may set aside the impugned disqualification slip issued by the third respondent dated 07.02.2023 and remand back the matter for fresh order.

4. In view of the fair stand taken by the learned Additional Advocate General, the impugned disqualification slip passed by the third respondent dated 07.02.2023 is set aside and the matter is remanded back to the third respondent for fresh order, after hearing the petitioner.

5. In the result, this Writ Petition is allowed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

16.02.2023

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