



W.P.(MD)No.3427 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.(MD)No.3427 of 2023
and
W.M.P.(MD)No.3187 of 2023**

Nagaraj

... Petitioner

Vs.

1. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road,
Egmore,
Chennai - 600 008.
2. The Chairman / Member,
Sub-committee,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road,
Egmore,
Chennai - 600 008.
3. The Deputy Chairman-cum-Superintendent of Police,
Sub-committee,
Pudukkottai Cetre,
Pudukkottai District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 06.02.2023 passed by the third respondent and quash the same as illegal and arbitrary and consequently, direct the respondents to conduct a fresh physical measurement test (height) for the petitioner afresh by a qualified Physical Director.

For Petitioner : Mr.S.P.Naveen Kumar

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, dated 06.02.2023 and for a direction to the respondents to conduct a fresh physical efficiency test for the petitioner for the post of Grade-II Police Constables (Armed Reserve and Tamil Nadu Special Police), Grade-II Jail Wardens (Men and Women) and Firemen in the Tamil Nadu Uniformed Services Recruitment Board 2022, this Writ Petition has been filed.



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2. The case of the petitioner is that he belongs to the De-Notified Community. Pursuant to the notification issued by the Tamil Nadu Uniformed Services Recruitment Board for the post of Grade-II Police Constables (Armed Reserve and Tamil Nadu Special Police), Grade-II Jail Wardens (Men and Women) and Firemen, the petitioner has applied. On 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 169.3 cm, by the third 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 169.3 cm. However, his real height is 172 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



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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 169.3 cm and thereby the petitioner was disqualified at the initial stage. However, he would submit that if the petitioner wants re-measurement, she 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.



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

21.02.2023

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

vji

To

1. The Member Secretary,
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2. The Chairman / Member,
Sub-committee,
Tamil Nadu Uniformed Services Recruitment Board,
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3. The Deputy Chairman-cum-Superintendent of Police,
Sub-committee,
Pudukkottai Centre,
Pudukkottai District.



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