



W.P(MD)No.4865 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4865 of 2023

and

W.M.P.(MD)No.4549 of 2023

Syed Ali Fathima

Vs.

... Petitioner

1.The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore,
Chennai-04.

2.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

3.The Tamil Nadu Uniformed Services Recruitment Board
(TNUSRB)
Commissioner of Police,
Old Office Campus,
Pantheon Road,
Egmore, Chennai-08.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned disqualification slip issued by the third



W.P(MD)No.4865 of 2023

respondent herein dated 06.02.2023 vide its Enrolment No.8602123 and quash the same as illegal and consequently, direct the respondents to select the petitioner in the Tamil Nadu Uniformed Service Recruitment by permitting the petitioner for reviewing the recording of her height re-measurements within a time frame as fixed by this Court.

For Petitioner : Mr.S.Sundarapandian

For Respondents : Mr.Veerakathiravan
Additional Advocate General
assisted by
Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General assisted by the learned Special Government Pleader appearing for the respondents.

2. The petitioner took part in the recruitment process conducted by the second respondent board for the post of Grade-II Police Constable. The petitioner was disqualified on the ground that she did not meet the height requirement. Questioning the disqualification, the petitioner preferred an appeal. The appellate committee also came to the conclusion that the petitioner's height is below the prescribed norms. Challenging the said stand taken by the board, the present writ petition has been filed.



W.P(MD)No.4865 of 2023

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3. The learned counsel appearing for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition.

4. He pointed out that the certificate issued by the Government doctor shows that the petitioner's height is 159.5 cm. This fulfils the norms set out in the recruitment notification. He also would point out that there is discrepancy between the measurements done by the original authority and the appellate authority. He therefore called upon this Court to set aside the impugned order and direct the respondents to redo the exercise of height verification.

5. I am not impressed by the aforesaid contention advanced by the learned counsel appearing for the petitioner. No doubt, the petitioner relies on the earlier order passed by me in W.P.(MD)Nos.21289 & 20733 of 2022, dated 26.09.2022. However, in the said case, the original measurement was done manually whereas this Court directed the authorities to do digital measurement. In this case, the appellate committee had carried out digital measurement. The certificate relied on by the petitioner as well as the decision of the original authority are based on manual measurement. Since the appellate committee's decision is anchored on digital measurement, I am not in a position to interfere



W.P(MD)No.4865 of 2023

for want of sufficient contra material. If the petitioner had got himself digitally measured through private agencies and placed the same, then, probably, a case for redoing the exercise might have arisen. Since no contra material of unimpeachable quality has been placed before this Court, I have to necessarily decline relief.

6. The learned Additional Advocate General also pointed out that similarly disqualified candidates had filed W.P.(MD)Nos.2791, 2890 & 2891 of 2023 and all the writ petitions had been dismissed by another Judge of this Court.

7. After taking note of the proceedings of the appellate committee, I am not inclined to interfere. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

07.03.2023

Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.4865 of 2023

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W.P(MD)No.4865 of 2023

G.R.SWAMINATHAN, J.

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W.P(MD)No.4865 of 2023

07.03.2023