



W.P. No.32100 of 2015

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.32100 of 2015

S.Vignesh

... Petitioner

Vs.

1.The Director General of Police,
Tamilnadu Uniformed Services Recruitment Board,
Chennai-2.

2.The Commissioner of Police,
Commissionerate, Chennai.

3.The Director of Medical Examination,
Chennai-10.

4.The Director,
Regional Institute of Ophthalmology,
and Ophthalmic Hospital,
Chennai-8.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records Re.No.121972/Rect.1(2)2014 dated on 23.05.2015 issued by the 1st Respondent and quash the same insofar as the petitioner is concerned and directing the respondents to conduct re-medical examination for



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petitioner's eyes based on representation dated 26.05.2015 and recruit the petitioner for the post of Special Police Youth Brigade-2013-14 if positive report came.

For Petitioner : Ms.Selvi George

For Respondents : Mr.Lenin
(for R1 - TNUSRB)
Mr.Abishek Murthy
Government Advocate (for R2 to R4)

ORDER

The writ petition is filed praying for a Writ of Certiorarified Mandamus calling for the records Re.No.121972/Rect.1(2)2014 dated on 23.05.2015 issued by the 1st Respondent and quash the same insofar as the petitioner is concerned and directing the respondents to conduct re-medical examination based on representation dated 26.05.2015 and recruit the petitioner for the post of Special Police Youth Brigade-2013-14.

2. Today, when the matter was called, the learned Government Advocate appearing for the Respondents submitted that the petitioner has applied for the post of Special Police Youth Brigade during 2013-14.

However, his candidature was rejected on the premise that he was



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medically unfit for selection and that in any view the appointment/
selection process for the said year viz., 2013-14 was already over and
nothing may survive.

3. At this juncture, the learned counsel for the petitioner would submit that though the above disqualification of the petitioner only on the ground that the petitioner was unfit due to corneal lasik scar which was a result of laser treatment underwent by the petitioner may not be valid, however in view of the fact that the selection process for the year 2013-14 was over, would agree that nothing may survive in the present writ petition. Having said that, the learned counsel for the petitioner would request that the alleged disqualification may not be put against the petitioner's eligibility for future selections.

4. Without expressing anything on merits, this Court leaves it open to the petitioner to apply for any post as and when called for in future. If any such application is made by the petitioner, the same shall be considered by the Respondents afresh uninfluenced by the earlier disqualification subject to fulfilling eligibility criteria.



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5. Accordingly, the writ petition stands closed. No costs.

24.07.2024

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/ No

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To:

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MOHAMMED SHAFFIQ, J.

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