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W.P.No.34867 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.34867 of 2012
and M.P.No.1 of 2012

V.Jagadish Kumar,
S/o.M.Varudharaji

... Petitioner

Vs.

1. The Director General of Police,
Mylapore, Chennai – 4.

2. The Commissioner of Police,
Salem Commissionerate, Salem.

3. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Anna Salai, Chennai – 2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, calling for records relating to the order of the second respondent made in Na.Ka.No.A2/11838/2012 dated 04.12.2012, quash the same and consequently direct the respondents to re-examine the petitioner for medical fitness and to appoint him as Grade -II Police Constable with all benefits.



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For Petitioner : Ms.N.R.Jasmine Padma
For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

The writ petition is filed challenging the order dated 04.12.2012, in an by which, the petitioner's candidature for the post of Police Constable Grade – II was rejected for medical reasons i.e., “Bilateral Flat Foot” (L) > (R)”.

2. The case of the writ petitioner is that, it was a hasty and colorable exercise of the respondent and on his own, he went to Professor/ Orthopaedics Surgeon and upon medical examination he has opined that the petitioner does not suffer from “Bilateral Flat Foot”.

3. On a perusal of the certificate issued by the said expert reads as follows:

“Medical Certificate

This is to certify that Mr.Jagadeesh Kumar age 26 years old residing at No.12/8, Srirangan New Street,



Dadagapatty, Salem had been afflicted with mild flat foot defects on left foot – examined the foot only clinically.

O/E Right Foot - Normal
Left Foot - Mild flat foot – on standing toes
plantar Curvature appears able to
walk and run.

Yours Sincerely

sd/-

Dr.S.Elangovan,M.S(Ortho)D.Ortho.,
Regd. No.24214”

4. Therefore, even as per the said certificate, it does not state that the petitioner does not have the alleged defect, but it is only the petitioner, who himself draws a conclusion that the expert report opined to the contrary. Therefore, finding no merits, this writ petition is dismissed. No costs. Connected miscellaneous petition is closed.

26.02.2024

Index: Yes
Speaking Order: Yes
Neutral Citation: No
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D.BHARATHA CHAKRAVARTHY, J.

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To

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Mylapore, Chennai – 4.
2. The Commissioner of Police,
Salem Commissionerate, Salem.
3. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Anna Salai, Chennai – 2.

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