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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.9522 of 2021
and W.M.P.Nos.10120 & 10122 of 2021

Avinash Kumar

...

Petitioner

versus

1.The Deputy Inspector General,
Central Industrial Security Force Unit,
RTC, Arakkonam,
Ranipet District - 631 152.

2.The Deputy Commandant / Training,
Central Industrial Security Force Unit,
RTC, Arakkonam,
Ranipet District - 631 152.

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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 relating to the impugned order passed by the 2nd respondent in his Order No.E-37035/CISF/RTC(A)/DME/Trg/20/3922 dated 25.09.2020 and subsequent Order passed by the 1st respondent in his Order No.E-37035/CISF/RTC(A)/CONST/GD/44th (B)/RME/Trg/2020/82 dated 04.01.2021 and quash the same and direct the 1st respondent to take the petitioner into the strength of CISF and to pay the salary and allowances to the petitioner for the period of 27.06.2020 to 05.10.2020.

For Petitioner : Mr.R.Thiyagarajan

For Respondents : Mr.M.Karthikeyan



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ORDER

Heard Mr.R.Thiyagarajan, learned counsel for the petitioner and Mr.M.Karthikeyan, learned counsel for the respondents and perused the materials available on record.

2. The petitioner was working as Constable / GD in CSIF at RTC Arakkonam. The petitioner joined before the 1st respondent on 27.06.2020. However, his medical examination report dated 25.09.2020 would say that he is medically unfit due to '*Squint Present and Asymmetrical Carrying Angle*'. The petitioner was sent for a medical review examination before the RME Board. However, the report of the Medical Board also declared that the petitioner is medically unfit due to '*Alternate Divergent Squint*'.

3. Mr.R.Thiyagarajan, learned counsel for the petitioner submitted that as per the original medical report during June 2016, the petitioner was found to be fit. However, the medical report is valid for one year. It is further submitted that the delay in giving appointment by the respondents to the petitioner should not be held against him because, had he been appointed in the year 2016, he would have been found medically fit.



4. As per the Guidelines for Recruitment Medical Examination in respect of CISF, one of the general ground for rejection is "*any degree of squint*". As per Regulation 14 of the above Guidelines, the period of Medical Board fitness is valid for one year from the date of joining the service. If a candidate joins after the validity period of Recruitment Medical, he will be examined by unit medical officer for any disease/deformity that might have arisen after the Recruitment Medical. Hence, I do not find any merits to allow the relief sought by the petitioner.

Hence, this Writ Petition is **dismissed**. No costs. Consequently connected Miscellaneous Petitions are closed.

05.03.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To
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W.P.No.9522 of 2017
and W.M.P.Nos.10120 & 10122 of 2017



- 1.The Deputy Inspector General,
Central Industrial Security Force Unit,
RTC, Arakkonam,
Ranipet District - 631 152.
- 2.The Deputy Commandant / Training,
Central Industrial Security Force Unit,
RTC, Arakkonam,
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R.N.MANJULA, J.

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