



WP.(MD).No.3370 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 18.03.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.3370 of 2024

and

W.M.P.(MD)Nos.3343 and 3344 of 2024

P.Deepak Niranjana

... Petitioner

Vs.

1.The Director General of Police,
State of Tamil Nadu,
Mylapore,
Chennai-4.

2.The Chairman,
Tamil Nadu Uniformed Service Recruitment Board,
Pandiyana Salai,
Elambur,
Chennai 8.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari Mandamus, calling the records relating to the proceedings of the second respondent made in disqualification slip dated 06.02.2024 with reference to Enrolment No.3401335 and quash the same and consequently direct the respondents no.1 and 2 to conduct physical measurement Test and endurance Test to the petitioner.



WEB COPY



WP.(MD).No.3370 of 2024

For Petitioner
For Respondents

: Mr.R.Murali
: Mr.P.Veera Kathiravan,
Additional Advocate General
Assisted by
Mr.S.Shaji Bino,
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, to quash the proceedings of the second respondent made in disqualification slip dated 06.02.2024 with reference to Enrolment No.3401335 and to direct the respondents no.1 and 2 to conduct physical measurement Test and endurance Test to the petitioner.

2.The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

(i)The Tamil Nadu Uniform Services Recruitment Board invited applications for the common recruitment for the post of Grade II Police Constable vide Notification No. 2 of 2023, dated 08.08.2023. All the petitioners herein have participated in the selection process for the aforesaid recruitment. Those who have successfully completed the written examination were called for physical endurance test by the respondents, which was scheduled on 06.02.2024 and the second respondent also issued a letter for



WP.(MD).No.3370 of 2024

certificate verification to the writ petitioner.

WEB COPY

(ii)The petitioner had participated in the common recruitment 2022 to the post of Grade II Police Constable and came successful both in the written test as well as the physical endurance test. The physical test for the common recruitment 2022 was conducted on 07.02.2022. He was declared qualified in the physical endurance test, which was conducted on 07.02.2023. But his overall marks were lesser than the cut-off marks and hence, he was not selected in the said recruitment process. During the present common recruitment for the year 2023, the petitioner had successfully completed his written test and the second respondent issued a letter for certificate verification and physical endurance test by fixing the date as 06.02.2024. As per the second respondent's instruction, the petitioner appeared at Armed Reserved Ground, Trichy on 06.02.2024. The Subordinate of the second respondent measured the petitioner's height and chest. As per the recruitment notification, the size of chest at normal level must be 80 cm and during expanded position, it must be a minimum of 85 cm. Being a sportsperson in weightlifting, the petitioner is having the required physical fitness including the chest size. However, after the first



WP.(MD).No.3370 of 2024

measurement, his minimum chest level during normal was shown as 80 cm. But on re-measurement, the second respondent noted the same as 79 cm. Thereafter, he was declared as disqualified in his chest measurement. The petitioner contends that the chest measurement is not done in the proper manner in the upper chest as followed to others. Instead, in the lower level of his chest, the measurements were taken and thereby, he was declared as disqualified. Hence, the petitioner was issued with the impugned disqualification slip dated 06.02.2024 and challenging the same, he has filed this Writ Petition.

3.Heard the learned counsel appearing for the petitioner, the learned Additional Advocate General appearing for the respondents and carefully perused the entire materials available on record.

4.Though the learned counsel for the petitioner contends that he came successful in the physical endurance test which was conducted on 07.02.2023 while he participated in the recruitment process for the common recruitment during the year 2022, he has not produced any material to substantiate the same before this Court. However, during the recruitment process of USRB for the



WP.(MD).No.3370 of 2024

common recruitment - 2023, in the physical endurance test which was conducted on 06.02.2024, both the height and the chest measurements of the recruits were measured manually. Undisputedly, the process of recruitment was completely videographed appreciably at each stage and the challenge made by the petitioner for the requirement to undergo re-measurement for his chest could not be appreciated and entertained for the reason that the possibility of mistakes, irregularity/variations methods are remote. The prescription of minimum height and minimum chest and chest expansion has been taken as a policy decision by the government and the same should not be normally interfered with by a Court of Law, the same being a matter of expertise and specific requirement for policing of the state. Prescription of such height and chest measurements therefore, should not be compromised by the state nor should it be diluted by judicial intervention.

5.Hence, this Court is of the considered opinion that since the respondents measured the petitioner's chest twice and it is only in re-measurement the minimum measurement turned out to be 079.00 cms, the possibilities of error is minimized and hence the



WP.(MD).No.3370 of 2024

claim of the petitioner for remeasurement of his chest cannot be entertained.

6.In view of the same, the Writ Petition fails and is dismissed.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

1.The Director General of Police,
State of Tamil Nadu,
Mylapore,
Chennai-4.

2.The Chairman,
Tamil Nadu Uniformed Service Recruitment Board,
Pandiyar Salai,
Elambur,
Chennai 8.



WEB COPY



WP.(MD).No.3370 of 2024

L.VICTORIA GOWRI, J.

Mrn

W.P.(MD)No.3370 of 2024

18.03.2024