



W.P.(MD) No.23101 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.23101 of 2019

and

W.M.P.(MD) Nos.19831 & 19832 of 2019

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... Petitioner

-vs-

- 1.The Union of India
rep.by Home Secretary
Ministry of Home Affairs
North Block, New Delhi-110 001
- 2.The Director General
Central Reserve Police Force
Block No.1, CGO Complex
Lodhi Road, New Delhi-110 003
- 3.The Chairman
Staff Selection Commission
CGO Complex
Lodhi Road, New Delhi
- 4.The Regional Director
(Southern Region)
Staff Selection Commission
2nd Floor, EVK Sampath Buildings
DPI Campus, College Road
Chennai-6



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5.The Special Director General
of Police
South Zone, CRPF
Chandrayangutti
Korkogiri, Hyderabad (TS)-500 005

6.The Presiding Officer
Recruitment, ITBP Madurai
45th Bn ITBP
(near Velli Malai Murugan Temple)
Idayapatty Village
South Amoor Post
Madurai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records from the file of 6th respondent pertaining to the rejection slip dated 06.09.2019 issued to the petitioner bearing Roll.No.8207011604 and quash the same and further directed to conduct re-physical Efficiency Test(PET) and Physical Standard Test (PST) relating to the height of the petitioner's measurement in par with the notice bearing No.F.No.3/2/2017-P and P-I of 3rd respondent (SSC).

For Petitioner : Mr.A.Nister Hakkeem

For Respondents : Mr.C.Nandagopal
Senior Panel Central Government
Standing Counsel



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ORDER

This writ petition has been filed challenging the rejection slip issued by the sixth respondent, dated 06.09.2019, rejecting the petitioner's candidature for the post of Constable, on the ground that he has not satisfied the height requirement for the said post.

2. As per the eligibility criteria, the height requirement to be satisfied for the said post is 170 cms. However, as seen from the impugned rejection slip, the petitioner's height, on examination, was found to be only 169.7 cms. Under the impugned rejection slip dated 06.09.2019, the petitioner has been informed that if he is aggrieved by the impugned rejection slip, he has a right to prefer an appeal before the appellate authority on the same day and it has been made clear that the decision of the appellate authority will be final and no further representation will be accepted / entertained. Instead of preferring an appeal before the appellate authority, the petitioner has filed this writ petition before this Court only on 31.10.2019 after a lapse of more than a month from the date of issuance of the impugned rejection slip, which is dated 06.09.2019.



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3. The respondents have filed a counter affidavit before this Court categorically reiterating that the petitioner's height, on examination, was found to be 169.7 cms., though the eligibility fixed is 170 cms.

4. Though the petitioner may contend that his height is 170 cms., based on the documents produced by him in this writ petition, the said contention cannot be accepted by this Court for the following reasons:

- (a) If the petitioner was aggrieved by the impugned rejection slip dated 06.09.2019, he ought to have preferred an appeal, as stipulated in the impugned rejection slip, before the appellate authority on the very same day.
- (b) When the impugned rejection slip has informed the petitioner that his remedy is to file an appeal, in normal circumstances, he ought to have preferred an appeal before the appellate authority, if he is aggrieved by the impugned rejection slip.
- (c) It is not a case where this writ petition was filed immediately, after the impugned rejection slip, which



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is dated 06.09.2019, came to be issued. This writ petition was filed only on 31.10.2019 i.e., after a lapse of more than a month from the date when the impugned rejection slip was issued to the petitioner.

- (d) The petitioner has relied upon the Doctor's report to show that his height was 170 cms., and therefore, he is eligible to be selected for the post of Constable. However, the said report is not an independent report. When the respondents have categorically stated that only after physical examination, the petitioner's height was found to be 169.7 cms., and that too when the petitioner did not challenge the impugned rejection slip immediately either before this Court or by filing an appeal, as directed in the impugned rejection slip, the question of entertaining this writ petition, at this belated stage after a lapse of nearly six years from the date when the recruitment process started for the post of Constable does not arise.



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5. For the foregoing reasons, this Court does not find any merit in this writ petition.

6. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

08.09.2025

(1/3)

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

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To:

- 1.The Home Secretary,
Ministry of Home Affairs,
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- 2.The Director General,
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ABDUL QUDDHOSE, J.

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