

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.13420 of 2015

R.Jegan

[PETITIONER]

Vs

- 1 The Director General of Police
Post Box NO. 601, Dr.Radhakrishnan Salai
Mylapore, Chennai-600004
 - 2 The Superintendent of Police
Cuddalore District, Cuddalore
 - 3 Tamilnadu Uniformed Services
Recruitment Board
Rep.by its Member Secretary
No.807 P.T.Lee Chengalvaraya
Naicker Maaligai
Anna Salai Chennai-600002
- [RESPONDENTS]

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the respondents 1 and 3 to consider the petitioners representation dated 4.4.2015 seeking to send him for police training within the time frame fixed by this Honourable Court.

For Petitioner : Mr.R.Subramanian & B. Ravi

For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

With the consent of the learned counsel appearing on either side the Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come forward with this writ petition, seeking for a direction to the respondents to consider his representation dated 4.4.2015, seeking to send him for police training

3.It is seen that the petitioner has made an application for the post of Police Constable Grade-II. He wrote the written examination and also participated in the physical test. Ultimately he was posted in Armed Reserve Police. However, due to vengeance, according to the petitioner, a criminal case was registered in Crime No.299 of 2012 on 22.12.2012, for the offence under sections 324 and 506(ii) IPC and after investigation the said case was closed as 'Mistake of fact'. Though he was selected and appointed, he was not sent for training. Hence, the petitioner has made a representation dated 04.04.2015, to send him for training.

4.The aforesaid facts makes it clear that the selection took place before registration of criminal case. If the selection was made before the registration of a case, the same should not be taken as a bar. In any event, as the said case registered was also closed as mistake of fact, I am of the view that the same cannot be a bar for sending him for training.

5.According to the petitioner while his batch-mates were sent for training, he alone was not sent for training. Hence, he made a representation on 04.04.2015, to send him for training. Hence, I am of the view that the second respondent shall send the petitioner for training in the aforesaid factual matrix.

6.Therefore, a direction is issued to the second respondent to send the petitioner for Police Training pursuant to his selection and appointment to the post of Armed Reserve.

The Writ Petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

rpa

To

1 The Director General of Police
Post Box NO. 601, Dr.Radhakrishnan Salai
Mylapore, Chennai-600004

2 The Superintendent of Police
Cuddalore District, Cuddalore

3 Tamilnadu Uniformed Services
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1 cc to M/s. R. Subramanian, Advocate, Sr. 24142
1 cc to Government Pleader, sr. 24827

W.P.No. 13420 of 2015

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