

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2015

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36912 of 2015

G.Chandrasekaran

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Petitioner

Vs.

1. Tamilnadu Uniformed service Recruitment Board,
Rep.by its Chairman,
The Director General of police,
P.T.Lee. Chengalvaraya Nayakkar Building,
No.807, 2nd Floor, Annasalai,
Chennai - 600 002.
2. The Addl. Director General of Police/Member,
Tamilnadu Uniformed service Recruitment Board,
P.T.Lee. Chengalvaraya Nayakkar Building,
No.807, 2nd Floor, Annasalai, Chennai - 600 002.
3. The Inspector General of Police/Member Secretary,
Tamilnadu Uniformed service Recruitment Board,
P.T.Lee. Chengalvaraya Nayakkar Building,
No.807, 2nd Floor, Annasalai,
Chennai - 600 002.
4. The Superintendent of Police,
Office of the Superintendent of Police,
Nagapatinam, Nagapatinam District.
5. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.

Impleaded the proposed party as
R5 in M.P.No.1 of 2015 dated
23.11.2015.

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Respondents

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issue a Writ of Mandamus directing the respondents to appoint the petitioner as Grade - II Police Constable by considering his representation dated 10.10.2015.

For Petitioner : Mr.D.Muthuselvam
For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. According to the petitioner, he belongs to Most Backward Class Community and hailing from a poor family. The respondents, Tamil Nadu Uniformed service Recruitment Board, called for applications for recruitment of 610 postings as Grade - II Police Constables. The petitioner applied for the post and successfully passed in written test, Physical test and Medical fitness. Eventually, he was selected and original certificates were also verified. However, the officials have not given his appointment order due to the reason that he is involved in a criminal case in Crime No.213 of 2009 of Kariyapattinam Police Station.

3. The petitioner would state that on 14.10.2009 at 11.45 a.m., there was a community clash with respect to worship in Akamparaeswarar Temple, for which, the police registered a case against 15 named persons and 300 unnamed persons, in which, the petitioner was wrongly implicated as an accused and arrayed as 26th accused. Ultimately, when the Deputy Superintendent of Police, Vedharanyam filed a charge sheet, in which, the petitioner's name was removed.

4. The grievance of the petitioner is that he sent a representation to the respondents seeking appointment on the ground that his name was already deleted from the criminal case, but so far, no order was passed. Hence, the present writ petition.

5. The learned Special Government Pleader would submit that the respondents 1 to 4 have selected the candidates and sent the papers to the 5th respondent, the Director General of Police and the representation of the petitioner would have to be considered by the 5th respondent.

6. This Court, in the light of above facts and circumstances, permits the petitioner to submit one more representation to the fourth and fifth respondents by enclosing a copy of this order as well as copy of his earlier representation, within a period of two weeks from the date of receipt of a copy of this order. The fourth and fifth respondents, on receipt of the same, are directed to consider the said representation on merits and in accordance with law,

within a period of six weeks thereafter and communicate the decision taken by them to the petitioner. The writ petition is disposed of accordingly. No costs.

sms

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. Tamilnadu Uniformed service Recruitment Board,
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Mylapore, Chennai - 600 004.

+ 1 cc to Mr.D.Muthuselvam, Advocate SR 63381

+ 1 cc to Govt.Pleader SR 63535

mg(co)
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