

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2016

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.4160 of 2016

V.Marimuthu

... Petitioner

-vs-

1. Deputy Inspector General of Police,
Vellore Zone, Vellore.
 2. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioners' office,
Pantheon Road, Egmore,
Chennai-8.
 3. The Superintendent of Police,
Vellore District.
- ... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the first respondent in Na.Ka.No.A2/1919/2015 dated 30.12.2015 and quash the same as illegal and consequently direct the respondents to appoint the petitioner for the post of Sub Inspector of Police (Taluk) (Men and Women) - 2015 in accordance with law.

For Petitioner : Mr.S.Sivanandam

For Respondents: Mr.P.H.Arvinth Pandian
Addl. Advocate General
assisted by
Mr.STS.Moorthy, Government Pleader
Mr.V.R.Kamalanathan, Addl. G.P.
Mr.V.Shanmugasundar, Govt. Advocate

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner participated in the selection process for recruitment as Sub Inspector of Police in pursuance to the advertisement issued on 08.02.2015. At the stage of filling up of the Form as against the column requiring the petitioner to disclose whether any criminal case was pending against him, he categorically said "No".

2. The petitioner made it to the stage of viva-voce in November, 2015 and at that stage, he disclosed the pendency of the criminal case. This has resulted in an order dated 30.12.2015, disentitling the petitioner from consideration on account of the non-disclosure of this material fact.

3. The petitioner has now preferred this writ petition stating that subsequently, he has been discharged on 06.01.2016 in respect of the criminal case in C.C.No.100 of 2014 under Sections 294(b), 324 and 506(II) IPC on the file of the Judicial Magistrate Court, Ranipet.

4. On hearing the learned counsel for the petitioner, we find no merit in the contention. The subsequent discharge of the petitioner cannot nullify the position prevailed at the stage of the selection when the criminal case was pending. The selection process is over almost two months before the discharge. What is most material according to us is that the petitioner has deliberately concealed this fact to facilitate the selection and thus, the impugned rejection letter dated 30.12.2015 cannot be faulted with.

5. The writ petition is dismissed. No costs.

-s/d-

Assistant Registrar (CSVII)

True Copy

Sub-Assistant Registrar

bbr

To

1.The Deputy Inspector General of Police,
Vellore Zone,
Vellore.

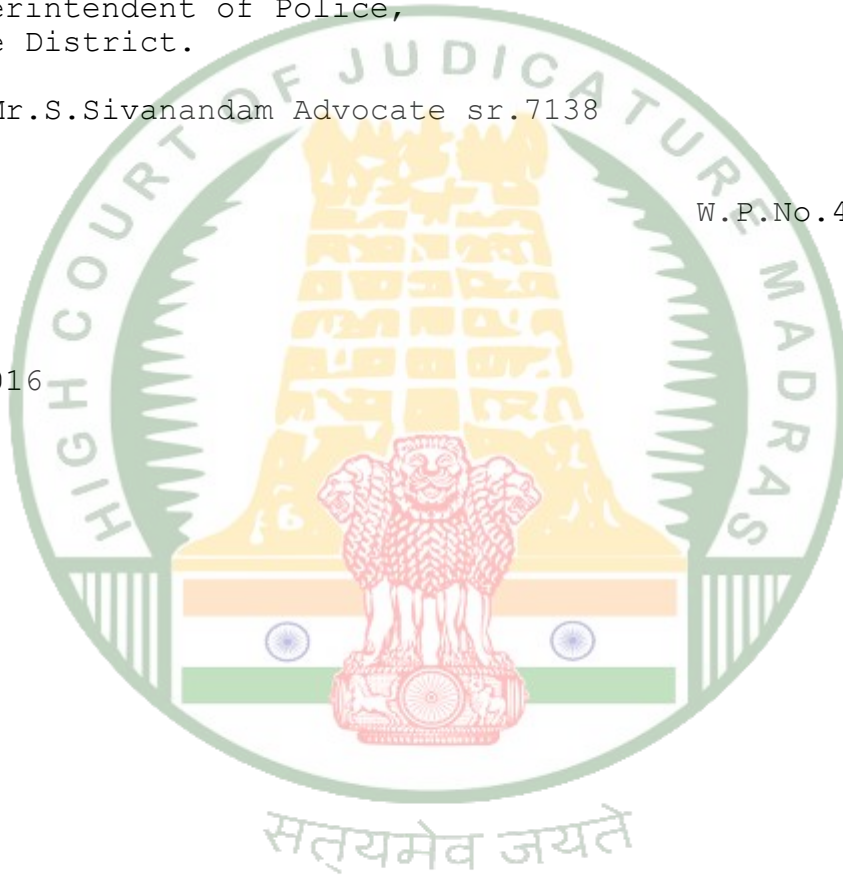
2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioners' office,
Pantheon Road, Egmore,
Chennai-8.

3.The Superintendent of Police,
Vellore District.

+1 cc to Mr.S.Sivanandam Advocate sr.7138

W.P.No.4160 of 2016

sal(co)
aa15/02/2016



WEB COPY