

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2017

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.5851 of 2011

R.Janarthanan

.. Petitioner

Vs.

The Director General of Police,
Office of the Director General of Police,
Chennai.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to consider the representation dated 11.02.2011 made by the petitioner.

For Petitioner : M/s.Pavitra.V
for M/s. R.Kannan
For Respondent : Mrs.K.Bhuvaneswari

O R D E R

The relief sought for in this writ petition is to direct the respondent to consider the representation submitted by the writ petitioner on 11.02.2011.

2.On a perusal of a copy of the representation submitted by the writ petitioner, which is enclosed in page 19 of the typed set of papers filed along with the writ petition, this Court is of the opinion that the writ petitioner has also been selected in the process of selection for appointment to the post of Grade II Police Constables in Tamil Nadu Police Service.

3.However, after completion of the medical test, the writ petitioner was waiting for his appointment order and on enquiry, it was found that the petitioner was seventh accused in a Criminal case registered in Crime No .73 of 2001 by Vikravandi Police Station, Villupuram District. In view of the registration of the Criminal case, the name of the writ petitioner was not considered for appointment.

4.However, the present writ petition is filed for a direction to consider the representation. This Court is not inclined to grant the relief sought for in view of the fact that even for considering the representation to the petitioner has to establish the legal right. In the absence of establishing any such legal right, no such direction can be granted on the facts of the case. It is made clear that the writ petitioner has involved in a criminal case, registered in Criminal Case No.73 of 2001. The candidate having Criminal case history, has no right to seek appointment as Grade II Police Constable. This apart, the writ petitioner has participated in the selection process of the year 2010 and now at this point of time, the direction sought for to consider the representation cannot be granted.

5.Thus no further adjudication needs to be undertaken in this writ petition. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True copy//

Sub Assistant Registrar

stm

To

The Director General of Police,
Office of the Director General of Police,
Chennai.

+1cc to Government Pleader SR.No.86924

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GN(05/01/2018)

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