



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.06.2017
CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A(MD)No.624 of 2014 and
M.P.(MD).No.2 of 2014

1. The Member Secretary,
Tamil Nadu Uniform Service Recruitment Board,
No.807, P.T. Lee Chengalvarrayar Maligai,
Anna Salai, Chennai-02.
2. The Director General of Police,
Kamarajar Salai, Chennai-600 004.
3. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

: Appellants

Vs.

G.Veilumuthu,

: Respondent

PRAYER: This Writ Appeal is filed under Clause 15 of Letters Patent Act, praying to set aside the order dated 26.03.2013 passed in W.P.(MD)No.2089 of 2013 on the file of this Hon'ble Court.

Prayer in WP(MD). 2089/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd Respondent in his Proceedings in Na.Ka.No.A-2(1)/26187/2012 dated 22.01.2013 and quash the same as illegal, violation of principles of law and further direct the Respondents to appont the petitioner as a Grade II Police Constable (Armed Reserve) in the Tamil Nadu Uniformed Services with in the stipulated period.

For Appellants : Mr.V.R.Shanmuganathan
Special Government Pleader
For Respondent : No appearance

JUDGMENT

(Judgment of the Court was made by T.S.SIVAGNANAM.J.)

The appeal is directed against the order passed in W.P.(MD)No.2089 of 2013, alleging that the writ petitioner did not disclose about the pendency of the criminal case.



2. Heard Mr.V.R.Shanmuganathan, the learned Special Government Pleader, appearing for the appellants. None appears for the respondent.

3. We have perused the application form, where question No. 29 is "Whether any criminal case is pending against you?". The answer given by the writ petitioner was 'No'. From the materials placed before this Court by the learned Special Government Pleader it is evident that a criminal case was registered against the writ petitioner dated 04.07.2011, on the file of the Thiruthangal Police Station. It was taken on file as S.T.C No.2400 of 2011 on the file of the Judicial Magistrate, Sivakasi and the writ petitioner was acquitted by judgment dated 27.01.2012.

4. Thus, on the date of application namely, 28.03.2013, there was no criminal case pending and therefore, the answer given by the writ petitioner to question No.29 is correct. Further, in the Verification Roll submitted by the petitioner, duly attested by the officials, the writ petitioner has clearly disclosed about the criminal case while answering Column No.15 and 16. Thus, we find that there is no suppression of facts.

5. Accordingly, this Writ Appeal stands dismissed. No costs. Consequently, the connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Member Secretary,
Tamil Nadu Uniform Service Recruitment Board,
No.807, P.T. Lee Chengalvarrayar Maligai,
Anna Salai, Chennai-02.

2. The Director General of Police,
Kamarajar Salai, Chennai-600 004.

3. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

+ 1 CC TO Mr.G.MARIMUTHU, ADVOCATE IN SR No. 60724

MR/TSG

TE/MR-KKR/SAR-II : 04/08/2017 : 2P/5C