



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2017

CORAM:

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

W.A.[MD].No.1329 of 2016
and
C.M.P(MD).9464 of 2016

1. The State of Tamil Nadu, represented by
The Principal Secretary to Government,
Home (Police) Department, Secretariat,
Chennai-600 089.
 2. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
807, 2nd Floor, Anna Salai,
Chennai-600 002.
 3. The Director General of Police,
Dr.Radhakrishnan Salai, Chennai-4.
 4. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
 5. The Sub-Inspector of Police,
Kamuthi Police Station,
Kamuthi,
Ramanathapuram District.
- : Appellants/Respondents

Vs.

S.Ganesa Morrthy (Regn. No.2802096) : Respondent/Petitioner

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent to against the order dated 26.03.2013 made in W.P(MD)No.2244 of 2013 on the file of this Court.

Prayer in WP(MD). 2244/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARI/ MANDAMUS, calling for the records relating to the order made in Na.Ka.No.A3/12999/2012 dated 09-01-2013 passed by the 4th Respondent and quash the same and consequently direct the



Respondents to recruit the Petitioner either in the post of Grade II Police Constables or in the post of Grade II Jail Warders / Firemen for the year 2012.

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For Appellants : Mr.VR.Shanmuganathan,
Special Government Pleader.

For Respondent : Mr.V.Muniasamy

JUDGMENT

[Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the appellants and Mr.V.Muniasamy, learned counsel appearing for the respondent.

2.By consent, the Writ Appeal is taken up for final disposal.

3.This Writ appeal is directed as against the order dated 26.03.2013 made in W.P(MD)No.2244 of 2013, only point to be considered to direct the respondents to recruit the petitioner either in the post of Grade II Police Constable or in the post of Grade II Jail Wardens/Firemen for the year 2012.

4.The learned counsel appearing for the respondent/writ petitioner submitted that the respondent filed application on 12.04.2012 in which he stated that there is no criminal case pending against him. It is seen from the records produced by the learned Special Government Pleader that in Crime No.119 of 2010 was registered in Kamuthi Police Station on 25.08.2010 and the petitioner was acquitted of the charge by the Judicial Magistrate, Kamuthi in C.C.No.24 of 2011, dated 24.02.2012. Thus on the date of the application there is no criminal case pending. Hence, there is suppression and no good grounds are made out to interfere with the order in the Writ Petition.

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

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar



To

1. The Principal Secretary to Government,
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4. The Superintendent of Police,
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Ramanathapuram.
5. The Sub-Inspector of Police,
Kamuthi Police Station,
Kamuthi,
Ramanathapuram District.

+ 1 CC TO Mr.V.MUNIASAMY, ADVOCATE IN SR No. 60746

MYR/IA

TE/SKN/SAR-I : 27/06/2017 : 3P/7C

JUDGMENT MADE IN
W.A.[MD].No.1329 of 2016 and
C.M.P(MD).9464 of 2016
16.06.2017