



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 03.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. SUBBIAH
and
THE HONOURABLE MRS. JUSTICE J. NISHA BANU

W.A. (MD) No. 1608 of 2016
and
C.M.P. (MD) No. 12182 of 2016

1. The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board,
No. 807, P.T. Lee Chengalvarayar Naicker
Maaligai, Anna Salai,
Chennai - 02.

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

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

... Appellants
Respondents

Vs.

A. Sudharsan

... Respondent /
Petitioners

Writ Appeal has been filed under Clause 15 of the Letters Patent, against the order dated 26.03.2013, made in W.P. (MD). No. 2496 of 2013 by a learned Single Judge of this Court.

Prayer in WP (MD). 2496/ 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 of the 3rd respondent in the impugned order of disqualification for appointment issued by the 3rd respondent in Na. Ka. No. A3/11758/2012 dated 24.01.2013 to the petitioner and quash the same as illegal and consequently direct the respondents to appoint the petitioner as Grade II Police Constables / Grade II Jail Warders / Firemen in pursuance of the examination conducted by the 1st respondent in Common Recruitment of Grade II Police Constables/Grade II Jail Warders/Firemen 2012 and pass such further or other orders.



For appellants

: Mr.S.Chandrasekar,
Government Advocate

For respondent

: Mr.R.R.Kannan

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JUDGMENT(Judgment of the Court was delivered by **R.SUBBIAH, J.**)

This writ appeal has been filed by the State challenging the order, dated 26.03.2013, passed by a learned Single Judge of this Court in W.P.(MD).No.2496 of 2013, whereby and whereunder the learned Single Judge has held that the respondent's selection shall be subject to the final judgment to be rendered by the Larger Bench of the Hon'ble Supreme Court, as per the reference made in the judgment reported in **(2012) 7 MLJ 68 (SC) (Jainendra Singh Vs. State of U.P. Tr.Prinl. Section Home and others)** and in the event of the Hon'ble Supreme Court decides that suppression of involvement in the criminal case would disentitle the respondent from getting a job in the police force, his appointment shall liable to be set aside at the discretion of the appellants.

2.Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the appellants submitted that though this Court has given the above direction, the respondent had appeared for the subsequent selection for the year 2013-14 and he was selected in Youth Brigade and now he has been promoted as a Grade II Police Constable and therefore, nothing survives for adjudication in this appeal. The learned counsel appearing for the respondent also agreed for the same.

3.Recording the above submissions of the learned counsel appearing for both sides, this Writ Appeal is closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(C)

/True Copy/

Sub Assistant Registrar

To

1.The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board,
No.807, P.T.Lee Chengalvarayar Naicker
Maaligai, Anna Salai,



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

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

+1 cc to M/S.R.R.KANNAN, Advocate SR.No.644

Writ Appeal (MD) No.1608 of 2016
03.01.2017

SMA/RSK/17.02.2017:3P/5C