

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 32330 OF 2017

ORDER:

It is the case of the petitioner that he was provisionally selected as SCT Police Constable (AR) (Men & Women) in Police Department under OC category. When the respondents during verification of the certificates produced by the petitioner, found that the caste certificate produced by the petitioner is not genuine, he was issued show-cause notice dated 16.05.2017 calling for explanation as to why his provisional selection shall not be cancelled as per Rules. Though the petitioner filed explanation to the aforesaid show-cause notice, without passing any orders on the same, the respondents are not sending the petitioner for training. Aggrieved by the same, present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Services.

Learned counsel for the petitioner submits that the petitioner has not produced any fake caste certificate and on mere suspicion, petitioner's provisional selection cannot be cancelled.

Now, it is to be seen that the respondents, having found that the caste certificate produced by the petitioner is fake, issued show-cause notice and the petitioner had also submitted explanation to the same. But without passing any

orders, there is no justification on the part of the respondents in not sending the petitioner for selection, in view of his provisional selection. As long as the caste certificate of the petitioner is valid, the respondents cannot deny his provisional selection and send him for training.

Since the petitioner has already filed explanation to the show-cause notice dated 16.05.2017, the competent authority is directed to consider the explanation of the petitioner and take action accordingly. However, this order will not preclude the competent authority from taking action, in accordance with law, if the caste certificate produced by the petitioner is found to be not genuine.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of.

A.RAJASHEKER REDDY,J

09-10-2017
kvs

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