

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.35502 OF 2017

ORDER

It is the case of the petitioner that he belongs to B.C-A community and is native of Nalgonda District. He had completed Intermediate and is eligible to the post of Police Constable. Pursuant to the notification issued by the 3rd respondent, the petitioner submitted his application for the post of Stipendiary Cadet Trainee Police Constable. He qualified in the preliminary selection test and physical efficiency test and also secured merit marks in the written examination held on 13.9.2009. Thereafter, he appeared for the medical examination and found to be medically fit. Thereafter, based on the proceedings dated 15.4.2011 issued by the 4th respondent, the petitioner appeared before him and the petitioner was directed to report before the DTC, Nizamabad for 9 months training. When the petitioner was about to proceed to Nizamabad for training, the 4th respondent stopped him on the ground that a case in Cr.No.164 of 2010 was registered by the Thipparthi Police Station, Nalgonda District against him and others. It is stated that he is no way concerned with the criminal case. The petitioner and other selected candidates approached the respondents and requested to send them for training. In spite of the selection, when the respondents are not sending the petitioner for training along with other selected candidates, the present writ petition is filed.

Learned counsel appearing for the petitioner submits that though criminal case is registered against the petitioner, no charge sheet is filed and on that ground he cannot be denied appointment.

On the other hand, learned Government Pleader for Services submits that since serious allegations were levelled against the petitioner, he cannot be appointed in the selected posts.

It is to be seen that when the petitioner is provisionally selected, unless the same is cancelled, he cannot be denied appointment to the post of Stipendiary Cadet Trainee Police Constable. If the respondents intend to take action against the petitioner, they have to issue notice to him before initiating any action and that they cannot keep the selection pending for years together.

In view of the same, liberty is given to the petitioner to make appropriate representation ventilating his grievance to the 2nd respondent and on such representation being made by the petitioner, the respondent is directed to consider the same and pass appropriate orders thereon within a period of six weeks thereafter.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

