

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.34985 OF 2017

ORDER

It is the case of the petitioner that he belongs to S.C. community and is native of Adilabad District. He had completed Graduation 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 was 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. Though his batch-mates were sent for training, he was not sent for training on the ground that that a case in Cr.No.41 of 2010 was registered on 28.5.2010 against him and others. It is stated that after issuance of notification, the case was tried by the learned Judicial First Class Magistrate, Boath, *vide* C.C.No.179 of 2010 and the petitioner was acquitted by judgment dated 19.12.2012. Though he approached the respondents number of times for sending him for training, no action was taken by them. Hence, the present writ petition is filed.

In the affidavit filed in support of the writ petition, though the petitioner stated that he approached the respondents number of occasions, no representation is found

in the material available on record. Further, while disposing of W.P.No.1817 of 2015 on 12.3.2015, a Division Bench of this Court held that mere involvement in a criminal case is not a ground to disqualify the person, more particularly, when he/she was acquitted by the Sessions Court, and upheld the order of the Administrative Tribunal, in a similar case, and set aside the proceedings issued by the competent authority cancelling the selection of the person for the post of Stipendiary Cadet Trainee Police Constable (Civil)(Men).

In view of the same, liberty is given to the petitioner to make appropriate representation ventilating his grievance to respondents 2 and 4 and on such representation being made by the petitioner, respondents 2 and 4 are directed to consider the same and pass appropriate orders thereon within a period of four weeks thereafter.

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

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

