



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.4120 of 2018

and

W.M.P.(MD).Nos.4280 & 4281 of 2018

K.Murugesan

... Petitioner

Vs.

1.The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai.

2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Chennai-600 008.

3.The Superintendent of Police,
Office of the District Superintendent of Police,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to Na.Ka.No.A4/44294/2017 dated 31.10.2017 and quash the same and consequently direct the respondents herein to appoint the petitioner as Police Constable Grade II (men) for the year 2017 vide Enrollment No.3026927.

For Petitioner : Mr.C.Gangai Amaran

For Respondents : Mrs.S.Srimathy

Special Government Pleader

ORDER

Heard the learned counsel on either side.

2.The petitioner was a candidate for the post of Police Constable Grade-II for the recruitment held for the year 2017. Though, he was successful in the written examination as well as in the physical test, the third respondent by order dated 31.10.2017, denied employment to the petitioner by invoking Rule 14 (b) (ii) and (iv) of the Tamil Nadu Special Police Subordinate Service



Rules. The ground for passing such an order is that the petitioner has suppressed his involvement in Crime No.30 of 2014, on the file of the Inspector of Police, Thirugurungudi Police Station and also in a Section 107 proceedings.

3. Admittedly, the petitioner herein did not disclose his involvement in the said cases while filling up the application form or even at the stage of verification of the antecedents. Even though the First Information Report was registered against the petitioner was closed as a mistake of fact, it is seen from the impugned order that the said final report has been rejected by the Magistrate and disciplinary action has been initiated against the Inspector of Police, Thirugurungudi Police Station, who filed such a report. An act of suppression will have to be viewed seriously. That apart, the order impugned in the Writ Petition was passed as early as on 31.10.2017. The petitioner herein has chosen to move this Court after a gap of almost four months. In matters such as this, the aggrieved candidate will have to be knock the doors of this Court at the very earliest.

4. Therefore, on the ground of laches, the Writ Petition is liable to be dismissed. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

1. The Director General of Police,
Office of the Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore, Chennai.
 2. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Chennai-600 008.
 3. The Superintendent of Police,
Office of the District Superintendent of Police,
Tirunelveli District.
- +One cc to The Special Government Pleader, SR.No.52347
+One cc to M/s.C.Gangaiamaran, Advocate, SR.No.51867
tsg
RL/6C/2P/KK/SAR1/3/4/2018

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