



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
and
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.A(MD)No.728 of 2018
and
C.M.P. (MD)No.4237 of 2018

K.Murugesan

... Appellant/Petitioner

Vs.

1. The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai.
2. The Chairman,
Tamilnadu 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/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letter Patent against the order, dated 28.02.2018, passed by this Court in W.P. (MD)No.4120 of 2018.

Prayer in WP(MD). 4120/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records pertaining to Na.ka.No. A4/44294/2017 dated 31/01/2017 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 Appellant : Mr.C.Gangai Amaran

For Respondents : Mr.A.K.Baskara Pandian
Special Government Pleader

**JUDGMENT**

(Judgment of the Court was delivered by **DR. ANITA SUMANTH, J.**)

This Writ Appeal has been filed challenging an order of the learned Single Judge, in W.P.(MD)No.4120 of 2018, dated 28.02.2018.

2. Heard Mr.Gangai Amaran, learned Counsel appearing for the appellant/writ petitioner and Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing for the respondents.

3. The appellant/writ petitioner was a candidate for the post of Police Constable Grade-II for the recruitment held for the year 2017. Though he had cleared both the written as well as physical tests, his application was rejected by order dated 31.10.2017 on the ground that his character and conduct were unsatisfactory. The aforesaid order was challenged by the appellant by way of writ petition seeking a quash of the same and a direction to the respondents to appoint the petitioner as Police Constable Grade-II.

4. The learned Single Judge finds as a matter of fact that there was suppression of relevant information regarding the involvement of the appellant/writ petitioner in Cr.No.30 of 2014, on the file of the Inspector of Police, Thirugurungudi Police Station as well as proceedings under Section 107 Cr.P.C.

5. Even before us, the learned Counsel appearing for the appellant/writ petitioner does not dispute the position that there was, indeed, suppression by the petitioner of the aforesaid information both at the stage of submission of the application and verification of antecedents. However, the First Information Report registered in this regard appears to have been closed inadvertently for which the disciplinary action has been initiated against the concerned Inspector of Police, Thirugurungudi Police Station.

6. Be that as it may, the act of suppression of relevant information by the petitioner is not in dispute. Furthermore, the order impugned was challenged by way of writ petition only after a period of four(4) months from the passing thereof.

7. In the aforesaid circumstances, we are of the considered view that no case has been made out to interfere with the order of the learned Single Judge dismissing the writ petition. Accordingly, the Writ Appeal stands dismissed. No costs.



Consequently, the connected Civil Miscellaneous Petition is also dismissed.

Sd/-
Assistant Registrar (AD-I)

/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,
Tamilnadu 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.

+ 1 cc TO Mr.C.Gangai Amaran , Advocate in SR No. 64669

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AE/SV MMS/SAR1/18.05.2018/3P/5C

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