

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2019

CORAM

THE HON'BLE MR. JUSTICE M.VENUGOPAL
AND
THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.31916 of 2018
and
WMP.Nos.37152 and 37153 of 2018

M.Gurunathan

... Petitioner

vs.

1. The State of Tamil Nadu,
rep.by its Principal Secretary to Government
Home (Court-I) Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. Tamil Nadu Public Service Commission,
rep.by its Chairman,
Frazer Bridge Road,
VOC Nagar, Park Town,
Chennai - 600 003.
3. The High Court of Judicature at Madras,
rep.by its Registrar General,
High Court,
Chennai - 600 104.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the third respondent in Roc.No.2972/2015/RG/B1/Spl.Cell dated 21/07/2017 and to quash the same and consequently direct the respondents to appoint the petitioner to the post of Civil Judge (Junior Division) based on the order of selection issued by the 2nd respondent in Memorandum No.5148/OTA-C4/2013 dated 15.06.2015 with all consequential and other attendant benefits.

For Petitioner : Mr.A.Maheshnath

For R1 : Mr.S.N.Parthasarathy, GA
For R2 : Ms.Niraimathi
For R3 : Mr.B.Vijay

ORDER

(Order of the Court was made by M.VENUGOPAL,J.)

Heard both sides.

2.According to the Petitioner, he belongs to Hindu Adi Dravida Community classified as Scheduled Caste (SC). He completed his Bachelor Degree in Tamil in the year 1995 and also has a B.L. Degree in the year 2001. He got himself enrolled in the Bar Council of Tamil Nadu and he is a practising Advocate from the date of Enrolment. He is a Physically Challenged Person eligible to be appointed under Physical Disability Quota.

3.It comes to be known that the Second Respondent/Service Commission issued a Notification inviting applications for the post of Civil Judge (Junior Division) in the Tamil Nadu State Judicial Service for the year 2013-14, in the year 2014. He submitted his application for selection to the post of Civil Judge (Junior Division) through online on 09.05.2014. He was permitted to write the Written Examination conducted by the Second Respondent/Service Commission. His name was shortlisted for Oral Test and he was issued with an intimation to attend the said Test, which was conducted on 16.04.2015. Accordingly, he participated in the Oral Test and performed well.

4.As a matter of fact, the Second Respondent/Service Commission issued a Memorandum bearing No.5148/OTD-C4/2013 Dated 15.06.2015, in and by which, he was declared to be selected provisionally for appointment by 'Direct Recruitment' to the post of Civil Judge (Junior Division) in the Tamil Nadu State Judicial Service for the year 2013-14. Indeed, in the Selection Order, the marks secured by him are as under:

(a) Written Examination	-	211.00
(b) Oral Test	-	31.50
		
Total Marks	-	242.50
		

As such, he was selected to the post of Civil Judge (Junior Division) by the Second Respondent/Service Commission.

5.The version of the Petitioner is that when the First respondent/Government of Tamil Nadu issued orders vide G.O.4(D) No.49, Home (Courts-I) Department, Dated 20.08.2015 for an Appointment to the post of Civil Judge (Junior Division), his name was not included. Inspite of selection, based on merits,

he was not issued with an 'Appointment Order' by the First Respondent/Government of Tamil Nadu. The Petitioner came to know that the 'Intelligence Report' submitted by the Police Department revealed that three criminal cases were registered against the Petitioner and therefore, his name was not shortlisted and forwarded to the Hon'ble High Court, Madras, for obtaining its opinion.

6. At this stage, the Learned Counsel for the Petitioner submits that on 05.09.2014, when the Petitioner applied for the post of Civil Judge (Junior Division) to the Second Respondent/Service Commission, in the column against criminal case, he had stated that "it is not applicable to him". The fact remains that earlier, a criminal case in Crime No.166/2007 on the file of Deevattipatti Police Station was registered under Sections 294(b), 341, 323, 506(ii) of Indian Penal Code, wherein, the Petitioner was impleaded as an accused. However, the said case was taken on file by the Learned Judicial Magistrate Court, Omalur, as CC No.202 of 2007. After full fledged trial, the same ended in an Acquittal, as per order dated 01.02.2017. In this connection, the plea of the Petitioner is that inasmuch as the criminal case fastened against him ended in 'Acquittal', he had not mentioned about the same in the 'Application', because of the reason that the 'Application' required the candidate only to disclose the 'Criminal Case Registered/Pending/Punishment awarded' and not the criminal case already ended in an 'Acquittal'.

7. It is projected on the side of the Petitioner that in regard to other two criminal cases in Crime Nos.1114/2008 and 363/2010 on the file of Omalur Police Station, it was found that he was not arrayed as one of the Accused and further that, he had no knowledge about the same. The concerned Investigating Officer had never made any enquiry with regard to the alleged offences mentioned in the complaint registered. As a matter of fact, the Petitioner came to know about the other two criminal cases only when the Intelligence Section of the District Police Office caused an enquiry, while processing his Appointment to the post of Civil Judge (Junior Division) based on the selection. Apart from that, he learnt that the criminal case in Crime No.1114/2008 was closed at FIR stage as barred by Limitation on the ground that no charge sheet was filed under Section 468 of the Criminal Procedure Code. In respect of the case in Crime No.363/2010, the Petitioner, after coming to know about the same, had approached this Court by filing Criminal Original Petition in Cr1.OP.No.20066/2015 and this Court had quashed the FIR on 11.08.2015. Accordingly, all the three criminal cases were over as stated supra.

8.The categorical stand of the Petitioner is that he had not disclosed the criminal case in CC.No.202/2007, since it ended in acquittal, even before he submitted his application for recruitment to the post of Civil Judge (Junior Division). Insofar as the other two cases in Crime Nos.1114/2008 and 363/2010, on the file of Omalur Police Station, the Petitioner claims that those cases were not within his knowledge at the time of submission of his application and further, those two cases were closed subsequently.

9.It comes to be known that the Petitioner submitted a detailed Representation before the Third Respondent/High Court, Madras on 10.09.2015 by mentioning all the three criminal cases that were already closed and explaining the Bona fide circumstances, which he had not stated about his involvement in the criminal cases, in the application submitted by him for selection to the post of Civil Judge (Junior Division). In this regard, the grievance of the Petitioner is that the Second Respondent/Service Commission had issued the impugned Proceedings in Memo No.5148/OTD-C4/2013, dated 06.10.2016 rejecting his candidature to the post of Civil Judge (Junior Division) by cancelling the provisional selection already made. Hence, he filed a Writ Petition in WP.No.44770/2016 assailing the Proceedings of the Second Respondent/Service Commission dated 06.10.2016 and sought for issuance of a direction to the Respondents to appoint him in the post of Civil Judge (Junior Division) based on the order of selection issued by the Second Respondent/Service Commission in its Memo No.5148/OTD-C4/2013 dated 15.06.2015 with all consequential and other attendant benefits.

10.The Learned Counsel for the Petitioner refers to an order dated 08.03.2017 passed by this Court in WP.No.37769 etc. batch of 2016 cases (including WP.No.44770/2016), wherein, at paragraph 13, it is observed as under:

"13.Mr.V.Raghavachari, learned counsel appearing for the petitioner in the first writ petition, had contended that the petitioner is not guilty of suppression of any information, much less, material information itself, when he has furnished the information as 'Yes/No/No' at the relevant column, thus implying that a criminal case was registered against him, but he was discharged by the competent Criminal Court, as there is no material to speak of his involvement in any such crime."

11.It transpires that the Third respondent issued a notice in ROC.No.2972/2015/RG/B1/Spl.Cell dated 25.05.2017, in and by which, the Petitioner, who filed WP.No.44770/2016, was provided with an opportunity to make any objection as against his disqualification for selection to the post of Civil Judge (Junior Division), within 15 days from the date of receipt of the notice etc. Accordingly, the Petitioner submitted his detailed Representation on 05.06.2017 within the time adumbrated by pointing out that the criminal case filed against him in Crime No.166 of 2007 ended in acquittal, after elaborate trial and the other two criminal cases in Crime Nos.1114 of 2008 and 363 of 2010 on the file of Omalur Police Station, were not even within his knowledge at the time of submission of his application and the same were brought to his notice only during the Police verification for selection. It was further explained therein that in respect of Crime No.1114 of 2008 on the file of Omalur Police Station, the same was closed on 03.02.2012 on the ground that the charge sheet was not filed and thereby barred by Limitation and in respect of Crime No.363/2010 on the file of Omalur Police Station, after coming to know about the same, the Petitioner filed a Criminal Original Petition in CrI.OP.No.20066/2015, along with the prime accused one Ashok Kumar and the same was quashed by this Court on 11.08.2015. As such, the factum of all the three criminal cases were duly submitted to the Third Respondent by way of his detailed Representation dated 10.09.2015 to show his Bona fide that non-disclosure at the time of making his application, was due to 'No knowledge about the cases' and not otherwise.

12.The Learned Counsel for the Petitioner submits that the Third Respondent passed an order vide its Proceedings in ROC.No.2972/2015/B1/Spl.Cell dated 21.07.2017 holding that the Petitioner is not eligible to be given appointment as Civil Judge on the premises that though he had subsequently disclosed the criminal cases registered against him, he did not disclose the said fact at the relevant point of time and the subsequent explanation is only an 'after thought' and it cannot be considered as true and valid explanation and it was also given, after the cut off date.

13.The Learned Counsel for the Petitioner strenuously contends that the impugned order of the Third Respondent dated 21.07.2017 was passed without appreciating the explanation submitted by him. Hence, the Petitioner has filed the present Writ Petition seeking to call for the relevant records pertaining to the impugned Proceedings of the Third Respondent in ROC.No.2972/2015/RG/B1/Spl.Cell dated 21.07.2017 and to quash the same. Further, he has prayed for passing of an order by this

Court in directing to the Respondents to appoint the Petitioner to the post of Civil Judge (Junior Division) based on the order of selection issued by the Second Respondent/Service Commission in Memorandum No.5148/OTA-C4/2013 dated 15.06.2015 with all consequential and other attendant benefits.

14.The Learned Counsel for the Petitioner brings it to the notice of this Court that the impugned order of the Third Respondent/High Court, Madras dated 21.07.2017 is an arbitrary one, misconceived and unsustainable in the eye of law for the reason that the Petitioner was not sought to be arrested in any of the criminal cases and he had not obtained any Anticipatory Bail in respect of the case in Crime No.363 of 2010. Furthermore, there was no investigation in respect of Crime No.363 of 2010 involving the Petitioner and he was not aware of the pendency of the criminal case.

15.That apart, the Learned Counsel for the Petitioner refers to the order dated 18.03.2017 in WP.No.37769 of 2016, wherein, at paragraph 22, it is observed as follows:

"22.Therefore, before a person can be condemned to have been guilty of suppression of information, which is undoubtedly material and relevant for his ultimate selection, with regard to his involvement in a criminal case, certain amount of knowledge is liable to be attributed to him. More importantly, as to whether such a person is aware of the pendency or booking of the criminal case against him, would depend upon the response, he would be furnishing. If only his attention is drawn to such adverse information, particularly by issuing a notice to him, as the Senior Counsel has pointed out that antecedent's verification plays a very important role in making an assessment about the suitability of the individual for the employment concerned, as any vital aspect relating to his character would be a decisive factor in holding one way or the other about his suitability."

Thus, the core contention raised on the petitioner's side is that the reason assigned by him to claim that he was not aware of the criminal case in Crime No.363 of 2010, was not appreciated by the Third Respondent /High Court, Madras, in a proper and real perspective.

16.In response, the Learned Counsel for the Third Respondent/ High Court, Madras submits that the Writ Petitioner submitted online application for the post of Civil Judge (Junior Division) under the recruitment Notification No.15/2014 dated

26.08.2014 and in fact, he had not mentioned his involvement in the criminal cases in the application form with an intention to mislead the Appointing Authority.

17.The Learned Counsel for the Third Respondent points out that the Second Respondent/Service Commission after the completion of selection process, found that the Writ Petitioner was involved in three criminal cases and suppressed the same in his application. Therefore, it is represented on behalf of the Third Respondent that the application of the Petitioner for the post of Civil Judge (Junior Division) in respect of the years 2013-14, was rejected by the Second Respondent/Service Commission, through memo dated 06.10.2016.

18.The Learned Counsel for the Third Respondent draws the attention of this Court to the fact that the Writ Petitioner filed WP.No.44770/2016 before this Court questioning the order of the Second Respondent/Service Commission rejecting his application and this Court vide order dated 08.03.2017, was pleased to direct the Third Respondent/High Court, Madras, to issue notice to the Writ Petitioner and call for his objections and thereafter, decide suitability of the candidature by arriving at subjective satisfaction on the criminal antecedents of the Writ Petitioner. In fact, the Petitioner was issued a Show Cause Notice dated 25.05.2017 by the Third respondent/High Court, Madras, wherein and whereby he was called upon to submit his explanation for suppression of facts relating to his involvement in the criminal cases.

19.In this connection, the Learned Counsel for the Third Respondent proceeds to point out that the Petitioner was arrayed as accused in Crime No.166/2007 on the file of Deevattipatti Police Station registered for the offences under Sections 294 (b), 341, 323 and 506(ii) of Indian Penal Code. The said criminal case was taken on file as CC.No.202/2007 on the file of the Learned Judicial Magistrate No.I, Omalur and after full fledged trial, the Petitioner was acquitted because of the reason that all the witnesses had turned 'hostile'. Further, in respect of the criminal case in Crime No.1114/2008, which was registered by Omalur Police Station for the commission of the offences under Sections 294(b), 323 and 506(i) of Indian Penal Code. Later, the FIR was closed on the ground that the charge sheet was not filed within the Limitation period and thereafter, it was barred under Section 468 of the Criminal Procedure Code. In respect of the third criminal case in Crime No.363/2010 registered by Omalur Police Station for the alleged commission of the offences under Sections 294(b), 506(ii) of Indian Penal Code and Section 3(i) of the Tamil Nadu Public Properties

(Damages and Loss) Act, the Writ Petitioner was acquitted by this Court vide order dated 11.08.2015 passed in Crl.OP.No.20066/2015.

20.The Learned Counsel for the Third Respondent refers to the order dated 11.08.2015 in Crl.OP.No.20066/2015 filed by one Ashok Kumar (First Petitioner) and M.Gurunathan (Second Petitioner/Writ Petitioner herein), wherein, at paragraphs 3 to 5, it is observed and held as follows:

"3.Today, Mr.Vasanth, the defacto-complainant is present and he has filed an affidavit, wherein in paragraph Nos.2,3 & 4, he has stated as follows :

"2. I state that I gave complaint against the petitioners herein before the first respondent and the same registered in Crime No.363 of 2010 under Section 294(b), 506(ii) and Section 3(1) of PPD Act.

3. I state that the occurrence had taken place in 05.04.2010 and the case is pending for investigation till today.

4. I state that since the compromise was made by the elders of the village and the occurrence had taken place long back, I don't want to proceed the further investigation and I like to compromise with the petitioners herein."

4. It is also seen that on the complaint given by Ashok Kumar (the petitioner herein), the respondent Police have registered a case in Crime No.364 of 2010 against Vasanth [complainant], challenging which, Vasanth has filed Crl.OP.No.20067 of 2015, on the ground that the matter has been amicably settled with Ashok Kumar.

5. In view of the above, this Criminal Original Petition is allowed and the F.I.R. in Crime No.363 of 2010 on the file of the first respondent is hereby quashed."

21.Coming to the contention of the Petitioner that he had no knowledge about the criminal cases in Crime Nos.1114/2008 and 363/2010 at the time of filing of his application before the Appointing Authority, the stand of the Third respondent/High Court, Madras is that the Petitioner had not produced any document to justify his case that he had no knowledge about the aforesaid criminal cases registered against him.

22.The Learned Counsel for the Third Respondent further adds that the Petitioner submitted his explanation on 05.06.2017 together with annexures in response to the Show Cause Notice dated 25.05.2017 and the Hon'ble Committee of this Court found that the Petitioner had not disclosed his involvement in the aforesaid criminal cases in his application for selection to the post of Civil Judge (Junior Division). In fact, the Petitioner had offered his explanation pertaining to his involvement in the criminal cases after rejection of his candidature by the Second Respondent/Service Commission upon finding the pendency of the criminal cases. To put it succinctly, the categorical stand of the Third Respondent/High Court, Madras, is that at the earliest point of time, the Petitioner had not furnished the pendency of the criminal cases against him and the explanation furnished by him in his reply was clearly an 'after thought' and therefore, he was found unsuitable for the post of Civil Judge (Junior Division).

23.In pith and substance, the submission of the Third Respondent/High Court, Madras, is that the Third Respondent had issued the Proceedings in ROC.No.2972/2015/RG/B1/Spl.Cell dated 21.07.2017, rejecting the candidature of the Petitioner, by strictly adhering to the direction of this Court in WP.No.44770/2016 filed by the Petitioner. Therefore, it is the plea of the Third Respondent that the rejection order dated 21.07.2017 passed by the Third Respondent is free from any legal infirmity.

24.Continuing further, the Learned Counsel for the Third Respondent points out that the Writ Petitioner filed WP.No.11149/2018 before this Court assailing constitutionality of Rule 5 of the Tamil Nadu Judicial Service (Cadre and Appointment) Rules, 2007 and Clause 2(A) the Recruitment Notification No.8 of 2018, dated 09.04.2018 and for issuance of a consequential direction to relax the age limit prescribed in the Notification. In reality, the Second Respondent/Service Commission had issued a Recruitment Notification No.8/2018 dated 09.04.2018 inviting online applications for direct recruitment to the post of Civil Judge in the Tamil Nadu Judicial Service to fill up approximately 320 vacancies, for the year 2017-18. In the Writ Petition in WP.No.11149/2018, the present Writ Petitioner had purposely and wantonly suppressed his involvement in the criminal cases and earlier rejection orders passed by the Second Respondent/Service Commission and the Third Respondent/High Court, Madras represented by the Registrar General. Besides above, it is the stand of the Third Respondent/High Court, Madras that the Writ Petitioner had also suppressed the filing of the earlier WP.No.44770/2016 and the

order of this Court dated 08.03.2017 and the subsequent rejection order dated 21.07.2017 passed by the Third Respondent/High Court, Madras.

25.The categorical stand of the Third Respondent/High Court, Madras is that the Petitioner, being an aspirant for the post of Civil Judge, is expected to approach this Court with clean hands by pleading all the material facts in the affidavit filed in support of the Writ Petition and the conduct of the Petitioner in willfully suppressing the facts relating to criminal antecedents and filing of the earlier Writ Petition for the same cause of action and the orders passed by this Court in the previous litigations, are nothing but, abuse of process of Court.

26.The Learned Counsel for the Third Respondent seeks in aid of the Judgment of the Hon'ble Supreme Court rendered on 26.11.2018, in Civil Appeal No.11356 of 2018 (Arising out of SLP (C) No.17404 of 2016) between State of Madhya Pradesh and others v. Abhijit Singh Pawar, wherein, at paragraph 13 at special paragraph No.38.1, it is observed as under:

"38.1. Information given to the employer by a candidate as to conviction, acquittal or arrest, or pendency of a criminal case, whether before or after entering into service must be true and there should be no suppression or false mention of required information."

Further, in the aforesaid Judgment, at paragraphs 14 to 16, it is mentioned as follows:

"14. In Avtar Singh v. Union of India and others [(2016) 8 SCC 471] (supra), though this Court was principally concerned with the question as to non-disclosure or wrong disclosure of information, it was observed in paragraph 38.5 that even in cases where a truthful disclosure about a concluded case was made, the employer would still have a right to consider antecedents of the candidate and could not be compelled to appoint such candidate.

15. In the present case, as on the date when the respondent had applied, a criminal case was pending against him. Compromise was entered into only after an affidavit disclosing such pendency was filed. On the issue of compounding of offences and the effect of acquittal under Section 320(8) of Cr.P.C., the law declared by this Court in Commissioner of Police, New Delhi and another v. Mehar Singh [(2013) 7 SCC 685] (supra), specially in paragraphs 34 and 35 completely

concludes the issue. Even after the disclosure is made by a candidate, the employer would be well within his rights to consider the antecedents and the suitability of the candidate. While so considering, the employer can certainly take into account the job profile for which the selection is undertaken, the severity of the charges levelled against the candidate and whether the acquittal in question was an honourable acquittal or was merely on the ground of benefit of doubt or as a result of composition.

16. The reliance placed by Mr. Dave, learned Amicus Curiae on the decision of this Court in Mohammed Imran v. State of Maharashtra and others [Civil Appeal No.10571 of 2018, decided on 12.10.2018] (supra) is not quite correct and said decision cannot be of any assistance to the respondent. In para 5 of said decision, this Court had found that the only allegation against the appellant therein was that he was travelling in an auto-rickshaw which was following the auto-rickshaw in which the prime accused, who was charged under Section 376 IPC, was travelling with the prosecutrix in question and that all the accused were acquitted as the prosecutrix did not support the allegation. The decision in Mohammed Imran (supra) thus turned on individual facts and cannot in any way be said to have departed from the line of decisions rendered by this Court in Mehar Singh (supra), State of Madhya Pradesh and others v. Parvez Khan [(2015) 2 SCC 591] (supra) and Union Territory, Chandigarh Administration and others v. Pradeep Kumar and another [(2018) 1 SCC 797] (supra)."

27. It is to be pointed out that "suppression of the truth" is equal to the expression of the false (vide 23 BARB. N. Y. 521. 525). Further, when an individual is found to be guilty of suppressio veri suggestio falsi for having concealed material information from scrutiny of the Court, he is not entitled for any equitable relief as per order 39 of the Civil Procedure Code (5 of 1908), as per the decision of the Hon'ble Supreme Court in Arbind Kumar Pal. v. Hazi md. Faizullah Khan, reported in AIR 2007 (NOC) 1035 (Pat). Apart from that, the suppressed fact must be material one in the sense that had it not been suppressed, it would have had an effect on the merits of the matter in a given case. It must be a matter which was material for the consideration of the competent Court, for taking necessary view for appropriate decision in the subject matter in issue.

28.A mere running of eye over the contents of the Minutes of the Meeting of the Hon'ble Selection and Appointment Committee held on 22.06.2017 at 5.30pm, at Court Hall No.20, in respect of the Petitioner show that the Writ Petitioner was found not eligible to be given appointment to the post of Civil Judge (Junior Division). Further, the Hon'ble Committee opined that at the relevant point of time, the Petitioner had not disclosed the factum of his involvement in the criminal cases and his explanation was only an 'after thought' and it could not be considered as a true and valid explanation and it was also given after the cut off date. The Minutes of the Meeting of the said Hon'ble Committee was approved by the Hon'ble Chief Justice of the High Court on 05.07.2017.

29.At this juncture, it is relevant to point out that when a candidate applies for the post of Civil Judge, then, in his filled up application, he must furnish requisite relevant information(s) without any concealment or suppression, sought for by the Appropriate Authority /Competent Authority in a realistic fashion.

30.A mere glance at the online application for TNPSC Registration submitted by the Writ Petitioner on 05.09.2014 shows that in respect of query of Criminal Case (Registered/Pending/Punishment awarded), the Petitioner had mentioned as "Not Applicable". When the Petitioner was involved in three criminal cases, viz., Crime No.166/2007 on the file of Deevattipatti Police Station, Crime No.1114 of 2008 on the file of Omalur Police Station and Crime No.363 of 2010 on the file of Omalur Police Station and especially, he is a practicing advocate, at the time of submission of his online application before the Second Respondent/Service Commission, he should have in all fairness and probity, mentioned about the same. Unfortunately, he had not mentioned about the aforesaid three criminal cases at the time of submission of his online application for TNPSC registration, which, in the Considered Opinion of this Court, is fatal to the Petitioner's case.

31.Any prospective candidate has to divulge all the necessary informations, that too, when it is sought for by the concerned Authority. After omitting to make a mention about his involvement in the three criminal cases, it is not open to the Petitioner at a later point of time to turn around and come out with lame duck excuses against the order of rejection, which are not Bona fide, Genuine, Reasonable and acceptable one. The explanation of the Petitioner dated 05.06.2017 to the Show Cause Notice was considered by the Third respondent/High Court, Madras and ultimately, rejected by the impugned order dated 21.07.2017

of the Third Respondent/High Court, Madras. The said rejection order of the Third Respondent dated 21.07.2017 is free from any legal infirmities, in the considered opinion of this Court.

32.On a careful consideration of the respective contentions and also taking note of the present facts and circumstances of the instant case, in a realistic fashion, this Court is of the considered view that the rejection order dated 21.07.2017 passed by the Third Respondent/High Court, Madras does not suffer from any material irregularity and patent illegality in the eye of Law. Viewed in that perspective, the present Writ Petition filed by the Petitioner sans merits.

33.In fine, the Writ Petition is dismissed, leaving open to the parties to bear their respective costs. The impugned order dated 21.07.2017 of the Third Respondent/High Court, Madras is affirmed by this Court for the aforesaid reasons. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government
Home (Court-I) Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Chairman, Tamil Nadu Public Service Commission,
Frazer Bridge Road,
VOC Nagar, Park Town,
Chennai - 600 003.
3. The Registrar General,
High Court, Chennai - 600 104.

+1 cc to the Government Pleader, S.R.No.22658

W.P.No.31916 of 2018

GJ(CO)
SSM(22/04/2019) .