



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.12.2019**

CORAM:

THE HONOURABLE MR.JUSTICE A.P.SAHI, CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.[MD]No.604 of 2014

and

M.P.[MD]No.2 of 2014

WEB COPY

- 1.The Chairman,
Tamil Nadu Uniform Service Recruitment Board,
No.807, P.T.Lee Chengalvarrayar Maligai,
Anna Salai, Chennai - 02.
 - 2.The Director of General of Police,
Kamarajar Salai,
Chennai - 600 004.
 - 3.The Superintendent of Police,
Madurai Rural, Madurai - 07. : Appellants / Respondents
- Vs.
- O.Jacky John : Respondent / Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 26.03.2013 passed in W.P(MD)No.3313 of 2013.

Prayer in WP(MD). 3313/ 2013 :

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 the Impugned Order in a Na.Ka.No.P1/19500/2012 dated 24.12.2012 on the file of the Respondent No.3 and quash the same as illegal and consequently direct the Respondents to appoint the Petitioner as the Grade II police constable and pass such further order or orders as this Honble Court.

For Appellants	: Mr.V.R.Shanmuganathan Special Government Pleader
For Respondent	: Mr.A.K.Manickam

JUDGMENT

[Judgment of the Court was delivered by
THE HONOURABLE CHIEF JUSTICE]

Heard learned Special Government Pleader appearing for the appellants / State.

2. This appeal is filed questioning the correctness of the impugned judgment of the learned Single Judge, whereby the writ petition filed by the respondent / writ petitioner was allowed on



the ground in relation to his recruitment that was annulled. The allegation against him was that he had obtained the selection on the ground of suppression of material facts of involvement in a criminal case. The respondent / writ petitioner, according to the facts disclosed, was subsequently acquitted and he again faced another fresh selection, wherein he has disclosed such fact. The respondent / writ petitioner succeeded this time again and therefore, this subsequent engagement will not be affected in any way by the previous litigation.

3. We accept the arguments advanced on behalf of the learned Special Government Pleader appearing for the appellants / State and allow the appeal and set aside the impugned judgment of the learned Single Judge without any prejudice whatsoever to the respondent / writ petitioner in respect of his subsequent selection and employment, which otherwise does not suffer from any infirmity.

4. Accordingly, this writ appeal is allowed in the terms aforesaid. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

rj2/akv

To

1.The Chairman,

Tamil Nadu Uniform Service Recruitment Board,
No.807, P.T.Lee Chengalvarrayar Maligai,
Anna Salai, Chennai - 02.

2.The Director of General of Police,

Kamarajar Salai,
Chennai - 600 004.

3.The Superintendent of Police,

Madurai Rural, Madurai - 07.

+1 CC to SPL.GP (SR-106037[F] dated 19/12/2019)

JUDGMENT MADE IN
W.A. [MD]No.604 of 2014
and
M.P. [MD]No.2 of 2014
18.12.2019

_KM/ (07.01.2020) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>