

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.05.2020****CORAM:****THE HONOURABLE MRS.JUSTICE J.NISHA BANU****Writ Petition (MD).No.6216 of 2020****WEB COPY**

G.Prathap

... Petitioner

Vs.

1.The Tamil Nadu Uniform Service Recruitment Board,
represented by the Member Secretary,
The Tamil Nadu Uniform Service Recruitment Board,
Old COP Office Campus,
Pantheon Road,
Egmore,
Chennai 600 008,
Tamil Nadu.

2.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai 600 004,
Tamil Nadu.

3.The Superintendent of Police/
The Sub Committee Chairman (TNUSRB),
Office of the Superintendent of Police,
Madurai District.

4.The Inspector of Police,
Samayanallur Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to appoint the petitioner (Enrolment No.2404562) for the post of Grade II Police Constable, Gr.II Jail Warder and Fireman within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.K.Chellapandian,
Additional Advocate General
assisted by Mr.M.Rajarajan, G.A.,**O R D E R**

The Writ Petition has been filed for a direction to the respondents 1 to 3 to appoint the petitioner (Enrolment No.2404562) for the post of Grade II Police Constable, Gr.II Jail Warder and Fireman within the time stipulated by this Court.

2. By consent of both parties, this writ petition itself is taken up for final disposal at the stage of admission itself.



3. The case of the petitioner is that the petitioner has submitted an application to the Tamil Nadu Uniform Service Recruitment Board under Application No.1000070331 in Notification No.01/TNUSRB/2019 for the post of Gr.II Police Constable, Gr.II Jail Warder and Fireman. On 25.08.2019, he appeared for the written examination and passed in the written examination and he has also qualified in the physical test. Later, on police verification, he came to know that a case in Crime No.170 of 2019 has been registered against him for the offence under Sections 341, 143, 294(b) of I.P.C., and Section 3(1) of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992.

4. According to the petitioner, he was not present at the scene of occurrence and on the date the alleged occurrence said to have taken place, the petitioner had been writing Tamil Nadu Police Service Free Model Exam at Sethupathi School, Madurai, which was conducted by Akash Friends IAS Academy, Tenkasi. Based on the explanation given by the petitioner, the Inspector of Police, Samayanallur Police Station has conducted an enquiry and submitted a report before the learned Judicial Magistrate, Vadipatti and also required to remove the name of the petitioner from the F.I.R. in Crime No.170 of 2019 on the file of the Samayanallur Police Station. Thereafter, the petitioner has given a representation to the respondents 1 to 3, seeking to appoint him for the post of Tamil Nadu Police Service. But the same has not been considered so far. Hence, the petitioner has come forward to file the present writ petition.

5. It is brought to the notice of this Court that on the date of occurrence, the petitioner was not present at the place of occurrence and he was participated in the examination and his name also removed from the F.I.R. in Crime No.170 of 2019. Therefore, the petitioner's representation has to be considered positively.

6. Taking into consideration the above facts, this Court directs the third respondent to pass orders on the representation of the petitioner, dated 29.04.2020, within a period of four weeks from the date of receipt of the order copy.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

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2. The Director General of Police,
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SPU (10.06.2020) 3P-5C