



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.11689 of 2021 and

WMP(MD).No.9193 of 2021

WEB COPY

Ajithkumar

:Petitioner

.vs.

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

2.The Director General of Police,
O/o. the Director General of Police,
Chennai - 4.

3.The Superintendent of Police,
Sivagangai District,
Sivagangai.

4.The Sub-Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.

: Respondents

PRAYER: Writ Petition 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 Na.Ka.No.A3/13450/70/2019 dated 05.07.2021 passed by the 3rd respondent and quash the same and consequently, direct the respondents to appoint him (Registration No.2900326) as Grade -II Constable, Grade - II Jail Warders and Firemen in the Tamil Nadu Uniformed Services Recruitment Board, 2019 forthwith.

For Petitioner : Mr. R. Venkatesan

For Respondents : Mr. Veerakathiravan
Additional Advocate General
Assisted by Mr. A.K. Manikkam
Standing Counsel for State

O R D E R

This Writ petition has been to call for the records pertaining to the impugned order passed in Na.Ka.No.A3/13450/70/2019, dated 05.07.2021, by the 3rd respondent and quash the same and consequently, direct the respondents to



appoint him (Registration No.2900326) as Grade -II Constable, Grade - II Jail Warders and Firemen in the Tamil Nadu Uniformed Services Recruitment Board, 2019 forthwith.

2. Heard Mr. R. Venkatesan, learned Counsel appearing for the petitioner and Mr. Veerakathirvan, learned Additional Advocate General, assisted by Mr. A.K. Manikkam, learned counsel appearing for respondents.

3. The Petitioner has applied for the post of Grade II Police Constable, Grade -II Jail Warders and Fireman in the Tamil Nadu Uniformed Services Recruitment Board during the recruitment held on 2019. The Petitioner was not considered for selection by the respondents. According to the respondents, the respondents have rejected the selection on the ground that the petitioner has suppressed the fact that he was involved in Crime.No.170 of 2017 registered for the offences under Sections 279, 337 IPC, in the application form. Challenging the said order, the petitioner has filed W.P.(MD).No.7556 of 2020 and the same has been disposed of remanding the matter back to the appointing authority to consider afresh and pass fresh orders. Again, the respondents have rejected the claim of the petitioner on the ground that the petitioner has suppressed the said material facts.

4. The learned counsel appearing for the petitioner would submit that the 3rd respondent has to consider the case of the petitioner in the light of the decision of the Hon'ble Supreme Court in Avthar's singh case and decision of the Division Bench of this Court in W.A(MD)No.3877 of 2019, dated 13.11.2019.

5. In view of the fact that the petitioner has suppressed the material facts relating to the case in Crime.No.170 of 2017 registered for the offences under Sections 279, 337 IPC, this Court is not inclined to accept the contention of the petitioner. However, it is open to the respondent to consider if any application submitted by the petitioner in the fresh notification called for by the respondents.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

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

2.The Director General of Police,
O/o. the Director General of Police,
Chennai - 4.

3.The Superintendent of Police,
Sivagangai District,
Sivagangai.

4.The Sub-Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.

+1 CC to M/s.SPL.GP (SR-32559[F] dated 26/10/2021)

ORDER MADE IN

W.P(MD)No.11689 of 2021 and

WMP(MD) .No.9193 of 2021

25.10.2021

AM(CO)

GC(29.11.2021) 3P 6C