



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Writ Petition No.13936 of 2014
and
M.P.No.1 of 2014

P.Babu
S/o.Paneerselvam

... Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai,
Office at Vepery,
Chennai - 600 007.

2.The Deputy Commissioner of Police,
(Administration/Authorised Officer),
Tamil Nadu Special Police Force,
O/o.Commissioner of Police,
Vepery, Chennai - 600 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the entire records which culminated in issuing the communication in Na.Ka.No.R&T(1)/18466/2014 dated Nil signed on 24.03.2014 on the file of the first respondent, quash the same and consequently, direct the respondents to forthwith appoint the petitioner to the post of Constable in the recruitment drive conducted by the respondents titled Tamil Nadu Special Police Force 2013-2014 within a time limit.

For Petitioner : Mr.P.Ganesan

For Respondents: Mr.M.Bindran
Additional Government Pleader

O R D E R

The order of rejection denying employment to the petitioner vide proceedings dated 24.03.2014 is under challenge in the present writ petition.



2. Pursuant to the recruitment notification issued by the respondents for selection to the post of Grade-II Police Constable, the petitioner submitted his application and participated in the process of selection. The petitioner was successful in the written examination and was allowed to participate in the physical verification test and endurance test. At the time of verification of antecedents and character, the authorities found that a criminal case was registered against the petitioner and subsequently, it was closed.

3. Learned counsel appearing for the petitioner mainly contended that no criminal case was registered against the petitioner at the time of submission of application for selection to the post of Grade-II Police Constable. Learned counsel submitted that since the criminal case registered against the petitioner was subsequently closed, it cannot be an impediment for the purpose of selection to the post of Grade-II Police Constable.

4. This Court is of the considered opinion that beyond registration of a criminal case, the selection committee is empowered to assess the suitability and eligibility of the candidate for appointment in the uniformed service. More so, verification of antecedents and character are of paramount importance with reference to selection of uniformed service. The police are trained to handle arms and ammunition. Therefore, verification of antecedents and character must be done carefully by the competent authorities. This apart, selection was conducted in the year 2013-2014 and now eight years have lapsed. During the relevant point of time, it is an admitted fact that a criminal case was registered against the petitioner and subsequently, it was closed. This being the factum, the relief as such sought for to appoint the writ petitioner in the uniformed service with reference to the selection of the year 2013-2014 cannot be considered by this Court in the present writ petition. However, the petitioner is at liberty to participate in the forthcoming recruitment, if any notified, if he is otherwise eligible in accordance with the rules in force.

Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-CCC)

//True copy//

Sub Assistant Registrar

gm



To

1.The Commissioner of Police,
Greater Chennai,
Office at Vepery,
Chennai - 600 007.

2.The Deputy Commissioner of Police,
(Administration/Authorised Officer),
Tamil Nadu Special Police Force,
O/o.Commissioner of Police,
Vepery, Chennai - 600 007.

+1cc to Government Pleader SR.No.35878

Writ Petition No.13936 of 2014

PMK (CO)
GMY (27/06/2022)