



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.7680 of 2022

and

W.M.P (MD)No.5806 of 2022

WEB COPY

Raju

... Petitioner

Vs.

1.The Chairman,

The Tamil Nadu Uniformed Services Recruitment Board,
No.807, Senkalvaraya Maligai,
Annasalai,
Chennai 600 002.

2.The Member Secretary,

Tamil Nadu Uniform Services Recruitment Board,
Annasalai,
Chennai-600 002.

3.The Superintendent of Police,

Tirunelveli District,
Tirunelveli.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the 3rd respondent in Na.Ka.No.A4/44294/2017 dated 23.04.2018 and quash the same as illegal and arbitrary and consequently, direct the 3rd respondent to appoint the petitioner as Police Constable Grade II in the common recruitment for the post of Grade II Police Constable/Grade II Jail Warders/Fireman for the year 2017.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.Veera Kathiravan

Additional Advocate General,
assisted by Mr.AK.Manikkam,
Special Government Pleader

ORDER

The order of rejection rejecting the claim of the writ petitioner for selection to the post of Grade-II Police Constable is under challenge in the present writ petition.

2.The petitioner participated in the process of selection. He was successfully in the written examination and allowed to participate in the physical verification test and endurance test. At the time of verification of character and antecedents, the authorities found that a criminal case was registered against the



petitioner and the said criminal case also ended with an order of acquittal on the ground of benefit of doubt. Therefore, under the Special Rules, the petitioner is disqualified for selection to the post of Grade-II Police Constable.

3.This apart, the selection was conducted in the year 2017 and the impugned order was passed by the respondent in proceedings dated 23.04.2018. The present writ petition has been filed after a lapse of about 4 years from the date of passing of the impugned order and therefore, the writ petition is liable to be rejected on the ground of laches. Even on merit, the petitioner has involved in a criminal case, though the criminal case ended with an order of acquittal on the ground of benefit of doubt, as per the Special Rule, the petitioner is not eligible for selection to the post of Grade-II Police Constable.

4.For all these reasons, this Writ Petition is dismissed both on the ground of merits and latches. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The Chairman,
The Tamil Nadu Uniformed Services Recruitment Board,
No.807, Senkalvaraya Maligai,
Annasalai, Chennai 600 002.

2.The Member Secretary,
Tamil Nadu Uniform Services Recruitment Board,
Annasalai, Chennai-600 002.

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

+1 CC to M/s.I.ANGUSAMY, Advocate (SR-20600[F] dated 22/04/2022)
+1 CC to M/s.SPL.GP. (SR-21461[F] dated 26/04/2022)

W.P. (MD)No.7680 of 2022
and W.M.P (MD)No.5806 of 2022
22.04.2022

RS (11.05.2022) 2P-6C

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