



W.P.No.69 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2023

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.69 of 2023

E.Sugumar

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
Home Department,
Secretariat,
Chennai - 600 009.

2.The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.

3.The Deputy Inspector General of Police,
Kancheepuram Zone,
Kancheepuram.

4.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to appoint the petitioner in the post of Sub-Inspector of Police



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in terms of the proceedings of the 3rd respondent in Na.Ka.No.A2/1992/10975/2019 dated 31.07.2021 and by considering the petitioner's representation dated 15.12.2022.

For Petitioner : Mr.R.Jayaprakash
For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

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

2. Mr.R.U. Dinesh Rajkumar, learned Additional Government Pleader accepts notice for the respondents.

3. The grievance of the petitioner is that earlier his appointment as a Police Constable was rejected due to the alleged suppression of a criminal case by him. The same was challenged by the petitioner and the learned Single Judge of this Court allowed his writ petition and thereafter, the Division Bench confirmed the findings of the learned Single Judge by dismissing the appeal filed by the State and a SLP was also filed by the State before the Hon'ble Supreme Court, which also ended in dismissal. Ever since his appointment was cleared, he has been worked as a Police Constable.



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4. The petitioner was subsequently selected for appointment as a Sub Inspector of Police. However, the contention of the petitioner is that appointment order for the post of Sub Inspector has not been issued in his favour. According to him, the appointment order has not been issued for the very same reason given when the petitioner's appointment as a police constable was rejected viz., that he has suppressed the pendency of a criminal case against him. The petitioner has given a representation on 15.12.2022 seeking for issuance of appointment orders in his favour for the post of Sub Inspector of Police. Since, the said representation has not been considered till date, the petitioner has filed this writ petition.

5. Heard Mr.R. Jayaprakash, learned counsel for the petitioner and Mr.R.U. Dinesh Rajkumar, learned Additional Government Pleader appearing for the respondents 1 to 4.

6. No prejudice would be caused to the respondents, if the petitioner's representation as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.



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7. This Court is not expressing any opinion on the merits of the petitioner's representation.

8. For the foregoing reasons, this Court directs the 3rd and 4th respondents to pass final orders on merits and in accordance with law on the petitioner's representation dated 15.12.2022 seeking for issuance of appointment order in his favour for the post of Sub Inspector of police, within a period of twelve weeks from the date of receipt of a copy of this order. No Costs.

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation Case: Yes/No
vsi2



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ABDUL QUDDHOSE, J.

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