



CMP.No.13089 of 2023
in
WA.No.2309 of 2022

R. MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

(Order of the Court was made by R.MAHADEVAN, J.)

This petition has been filed by the petitioner / appellant to clarify paragraph 9 of the judgment dated 20.04.2023 passed in WA.No.2309 of 2022, relating to “*next recruitment drive*”.

2.According to the learned senior counsel for the petitioner / appellant, by judgment dated 20.04.2023, the aforesaid writ appeal came to be dismissed, with the following observation:

“9.In such perspective of the matter, the writ appeal fails and is accordingly, dismissed. However, the respondent authorities shall consider the appellant's candidature in the next recruitment drive, if he is otherwise eligible, as observed by the learned Judge in the writ petition.”

It is submitted that during the pendency of the writ petition, Employment Notification Ref. No.1/2020 dated 17.09.2020 was issued for recruitment to the post of Police Constable Grade II, which is the next selection to the subject matter of selection in the appeal. In the application, the petitioner stated about the pendency of the criminal case and his acquittal from the same on 27.02.2020. Though he has been selected, he has not been issued with any appointment order. Therefore, the learned senior counsel sought to clarify paragraph 9 of the judgment dated 20.04.2023, whether the next selection drive is the selection of the petitioner pursuant to Notification Ref No.1/2020 dated 17.09.2020.



3. Heard the learned senior counsel for the petitioner / appellant and perusal of the materials available on record.

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4. This court is of the view that after careful analysis of the order passed by the writ court, the writ appeal was dismissed on 20.04.2023. However, the direction to the respondent authorities to 'consider the appellant's candidature in the next recruitment drive if he is otherwise eligible', was originally granted by the learned Judge in the writ petition. Therefore, it is for the petitioner to approach the writ court and get it clarified.

5. In such view of the matter, this petition stands closed with liberty to the petitioner / appellant to move the learned Judge and get clarification with regard to his eligibility to participate in the next recruitment drive.

[R.M.D., J.] [M.S.Q., J.]
14.07.2023

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