



W.P.(MD).No.6472 of 2023

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.6472 of 2023

and

W.M.P.(MD).No.6117 of 2023

G.Muthukumar

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Home Department,
Secretariat,
Chennai – 600 009.
- 2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai – 8.
- 3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai – 8.



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4.The Director General of Police,
O/o. the Director General of Police,
Tamil Nadu,
Chennai – 600 004.

5.The Superintendent of Police,
O/o. the Superintendent of Police Office,
Virudhunagar,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner for appointment to the post of Grade II Police Constable in pursuant to the notification No.1/2020 dated 17.09.2020 taking into consideration of the marks secured by the petitioner within the time that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran,
For M/s.Ajmal Associates.

For Respondents : Mr.Veera Kathiravan,
Additional Advocate General,
Assisted by,
Mr.P.Balasubramani,
Special Government Pleader.



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ORDER

This Writ Petition is filed for Mandamus to consider the petitioner for appointment to the post of Grade-II Police Constable pursuant to the Notification No.1/2020 dated 17.09.2020.

2. The petitioner's candidature was not considered in the earlier recruitment because of the pendency of criminal proceedings in STC.No.2636 of 2010. The claim of the petitioner is that he disclosed the criminal case registered against him while submitting the application form. Subsequently, the petitioner was acquitted from the criminal case on 08.08.2011 and has disclosed the details with regard to criminal case at the time of Certification Verification. The respondents have not considered the petitioner's candidature due to involvement in the criminal case. The contention of the petitioner is that since he was acquitted in the criminal proceedings in the year 2011 itself, he should be considered for appointment to the post of Grade-II Police Constable.



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WEB COPY 3. Therefore, this Court is remitting the case to the authorities to consider the petitioner's case in the light of acquittal order passed in criminal case. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition stands closed.

27.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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To

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O/o. the Director General of Police,
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O/o. the Superintendent of Police Office,
Virudhunagar,
Virudhunagar District.



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S.SRIMATHY, J.

Nsr

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