



W.P(MD)No.13363 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13363 of 2023

and

W.M.P.(MD)No.11261 of 2023

R.Sekar

... Petitioner

Vs.

1.The Chairman,
Tamil Nadu Uniform Services Recruitment Board,
No.807, P.T.Lee Chengalvarraya Naickar Malligai,
Anna Salai, Chennai – 2.

2.The Director General of Police,
Office of the Director General of Police,
Beach Road, Chennai.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the order in Na.Ka.No.A3/11758/2012 dated 24.01.2013 passed by the



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3rd respondent and quash the same and consequently directing the respondents to appoint the petitioner as AR Grade-II constable with all service and other attendant benefits within the time stipulated by this Court.

For Petitioner : Mr.Malaikani

For Respondents : Mr.Veerakathiravan,
Addl. Advocate General,
Assisted by Mr.N.Ramesh Arumugam,
Government Advocate.

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Advocate General assisted by the learned Government Advocate for the respondents.

2.The petitioner is an aspirant for the post of Grade II Police Constable. He took part in the recruitment process held in the year 2012. Though he was successful in the tests, he was disqualified on the twin grounds of suppression of material facts and involvement in criminal cases. The said order is put to challenge in this writ petition.



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3.I have to non-suit the writ petitioner on two grounds. (a) The impugned order was passed as early as on 24.01.2013. We are now in June 2023. The petitioner mounted his challenge after a lapse of a full decade. The writ petition is hopelessly barred by laches. (b) The petitioner though belonging to scheduled caste category is aged about 39 years. The petitioner has also crossed the age limit. The learned Additional Advocate General would add that there is one more reason for sustaining the impugned order. Though the petitioner might have been deleted from the final report, he ought to have disclosed his implication in the criminal case in his application form itself. The learned Additional Advocate General relied on the decision of the Hon'ble Apex Court reported in **2022 SCC Online SC 1300 (Satish Chandra Yadav Vs. Union of India)**. Sub Clause C of Paragraph No.90 of the said judgment reads as follows:-

“90.C) The suppression of material information and making a false statement in the verification Form relating to arrest, prosecution, conviction etc., has a clear bearing on the character, conduct and antecedents of the employee. If it is found that the



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employee had suppressed or given false information in regard to the matters having a bearing on his fitness or suitability to the post, he can be terminated from service.”

4.By applying the ratio laid down in the aforesaid decision, I have to necessarily sustain the impugned order. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

08.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Chairman,
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G.R.SWAMINATHAN, J.

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