



W.A.(MD) No.609 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.A.(MD) No.609 of 2023

C.Srinivasan

... Appellant

-vs-

- 1.The State of Tamil Nadu
rep.by its Principal Secretary
Home Department
St.George Fort
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 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
Virudhunagar, Virudhunagar District

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 22.03.2022, passed in W.P.(MD) No.10256 of 2021, on the file of this Court.

For Appellant : Mr.T.Palanisamy

For Respondents : Mr.Veera Kathiravan, Senior Counsel
assisted by Mr.S.P.Maharajan
Special Government Pleader

J U D G M E N T

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The Writ Court has dismissed the writ petition on the ground that the appellant / writ petitioner is not eligible for selection, since he had suppressed the pendency of the criminal case.



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2. The Honourable Supreme Court has, in **Satish Chandra Yadav vs. Union of India and others**, reported in **2022 SCC OnLine SC 1300**, in Paragraph No.90(b) & (c), held as follows:

“b) Even in a case where the employee has made declaration truthfully and correctly of a concluded criminal case, the employer still has the right to consider the antecedents, and cannot be compelled to appoint the candidate. The acquittal in a criminal case would not automatically entitle a candidate for appointment to the post. It would be still open to the employer to consider the antecedents and examine whether the candidate concerned is suitable and fit for appointment to the post.

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 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.”



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3. In view of the above dictum of the Honourable Supreme Court, we are unable to fault with the Writ Court for having dismissed the writ petition. Hence, this writ appeal fails and it is accordingly dismissed. No costs.

[R.S.M., J.]

[L.V.G., J.]

12.06.2023

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

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To:

- 1.The Principal Secretary,
Home Department,
State of Tamil Nadu,
St.George Fort,
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,
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- 4.The Director General of Police,
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