



W.A.(MD) No.1331 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**W.A.(MD) No.1331 of 2024
and
C.M.P.(MD) No.10438 of 2024**

- 1.The District Collector,
Trichy District.
- 2.The District Revenue Officer,
Trichy District.
- 3.The Tahsildar,
Lalgudi Taluk,
Trichy District.
- 4.The Deputy Thasildhar,
Lalgudi Taluk, Trichy District.

... Appellants

-VS-

1.S.Stalin



W.A.(MD) No.1331 of 2024

WEB COPY

2. The Inspector of Police,
Kallakudi Police Station,
Trichy District.

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order,
dated 31.10.2023, passed in W.P.(MD)No.24448 of 2023, on the file of this Court.

For Appellants : Mr.S.R.A.Ramachandran
Additional Government Pleader

For R1 : Mr.S.M.Mohan Gandhi

J U D G M E N T

[Judgment of the Court was made by P.VELMURUGAN, J.]

This Writ Appeal is filed against the order dated 31.10.2023, passed in W.P.
(MD)No.24448 of 2023.

2. The appellants have challenged the order of the learned Single Judge on
the ground that the first respondent/writ petitioner submitted an application for
the post of Village Assistant in the Villages within the jurisdiction of Lalgudi



W.A.(MD) No.1331 of 2024

WEB COPY

Taluk by suppressing material facts and making a misdeclaration. A criminal case was registered against him in Crime No.181 of 2017 for the offences under Sections 294(b), 324 and 506(ii) I.P.C. When the first respondent / writ petitioner had made an application for the post of Village Assistant, he has not disclosed about his involvement or closing of the F.I.R. as "Mistake of Fact" in the printed format and that based on the said misdeclaration, the second appellant herein through her proceedings, dated 29.08.2023 rejected the application of the first respondent / writ petitioner.

3. The first respondent / writ petitioner has challenged the proceedings of the second appellant dated 29.08.2023 by filing W.P.(MD)No.24448 of 2023 before this Court. The learned Single Judge, considering that the F.I.R. had been closed as a 'Mistake of Fact' by the police officials six years prior to the selection process, concluded that the first respondent/writ petitioner had not suppressed any material facts and that there was no misdeclaration in the particulars sought in the printed format. Consequently, the Writ Petition was allowed.



W.A.(MD) No.1331 of 2024

WEB COPY

4. Considering the facts and circumstances of the case, this Court is of the view that no serious offence was established against the first respondent/writ petitioner, and no case was pending on the date of filing the application and also the petitioner was not a history-sheeter. Therefore, this Court finds no merit in the Writ Appeal. Accordingly, the Writ Appeal fails and is dismissed at the admission stage itself. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
smn2

[P.V., J.] [K.K.R.K., J.]
12.08.2024

To

The Inspector of Police,
Kallakudi Police Station,
Trichy District.



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W.A.(MD) No.1331 of 2024

P.VELMURUGAN, J.
and
K.K.RAMAKRISHNAN, J.

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W.A.(MD) No.1331 of 2024
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