



W.P.No.32237 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.04.2025

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.32237 of 2022

and

WMP.No's.31641 and 31642 of 2022

K.Suresh

... Petitioner
Vs.

1.The Under Secretary,
Staff Selection Commission,
Block No.12, CGO Complex,
Lodhi Road, Delhi 8.

2. The Regional Director,
Staff Selection Commission (SR),
2nd Floor, EVK Sambath Building,
College Road, Chennai-6.

3. Assistant Director (Recruitment),
Ministry of Home Affairs,
O/o Director General,

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Saharasa Seema Bal,
East Block - V, R.K.Puram,
New Delhi-66.

4. The Commandant,
51st Bn SSB, Sitamarhi-II,
Industrial Area, Rajapatti,
Sithamarhi, Bihar.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records in No.14/12/2017-C-1/2, dated 28.06.2017 on the file of the 1st respondent and consequential Order of termination on the file of the 4th respondent in No.429/51st Bn/SSB/E-I/Misc/2022/26091-26103, dated 10.11.2022 and quash the same as illegal, incompetent, without jurisdiction and consequently direct the respondents to reinstate the petitioner with all monetary as well as service benefits.

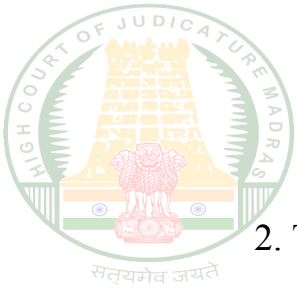
For Petitioner : Mr.S.Senthil Kumar

For Respondents : Mr.M.Karthikeyan,
CSPL

ORDER

Writ petition is filed for issuance of a writ of Certiorarified Mandamus, to call for the records of the order dated 28.06.2017, of the 1st respondent, and the consequential termination order of the 4th respondent, dated 10.11.2022, to quash the same as illegal, incompetent and without jurisdiction.

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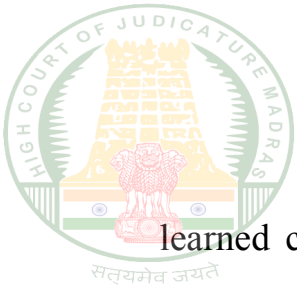
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2. The petitioner was selected for the post of Constable (GD), in CAPFs and

WEB **Rifleman (GD) in Assam Rifles** conducted by the Staff Selection Commission.

The petitioner rendered services at Bihar, in 19 Battalion SSB at Thakurganj, Kishanganj, from 2016 to May 2021. The petitioner at the time of filing of the writ petition served at Bihar, in 51st Battalion. Whiles, the petitioner was issued with a show cause notice on 06.10.2022, calling for his explanation as to why his services should not be terminated for furnishing false information at the time of his appointment. The petitioner challenged the said show cause notice in W.P.No.30103 of 2022, and the same was disposed of by this court on 14.11.2022, with directions issued therein. Even before the aforesaid order of this court, the 4th respondent passed the impugned order of termination dated 10.11.2022. Aggrieved by the impugned orders dated 28.06.2017 and 10.11.2022, the petitioner filed the above writ petition.

3. After hearing the matter at length, the learned counsel for the petitioner submitted that in the impugned order, it was stated that against the order an appeal lay to the Deputy Inspector General, SHQ SSB Muzaffarpur, under Rule 29 of the SSB Rules, 2009. The learned counsel therefore submitted that the petitioner may be given an opportunity to file an appeal to the Deputy Inspector General. The



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learned counsel further prayed that, considering the facts of the case, the delay

may be condoned and limitation may be enlarged.

4. Under the facts and circumstances of the case, I am inclined to give an opportunity to the petitioner to exhaust the statutory remedy of appeal to the Deputy Inspector General, SHQ SSB, Muzaffarpur. Hence the petitioner is directed to submit the appeal to the Deputy Inspector General, SHQ SSB, Muzaffarpur, within a period of two (2) weeks from the date of receipt of a copy of this order. The appeal shall be considered by the Deputy Inspector General, SHQ SSB, Muzaffarpur, without reference to limitation provided under Rule 29 of the SSB Rules, 2009. On receipt of the appeal, the Deputy Inspector General, SHQ SSB, Muzaffarpur, after affording one personal opportunity of hearing to the petitioner, shall dispose of the same within a period of eight (8) weeks thereafter on merits and in accordance with law.

In view of the above, this writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

17.04.2025

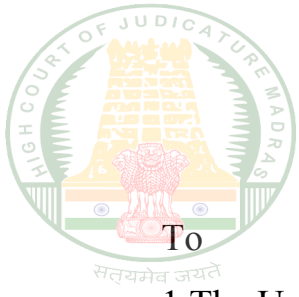
Index:Yes/No

Neutral Citation:Yes/No

Speaking order:Yes/No

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N.MALA,J.

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