



WEB COPY



W.A.No.1741 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2025

CORAM:

**THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE K.SURENDER**

**W.A.No.1741 of 2025
and
C.M.P.No.13304 of 2025**

1.The Secretary of State,
Home Department,
Government of Tamil Nadu,
Chennai – 9.

2.The Chairman,
Tamil Nadu State Uniformed Service Recruitment Board,
No.807, P.T.Lee Chengalvaraya Naicker Maaligai,
Anna Salai, Chennai – 600 002.

3.The District Superintendent of Police,
Dharmapuri District,
Dharmapuri.

... Appellants

Vs.

S.Beemaroo

... Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 11.02.2011 made in W.P.No.2038 of 2011.



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For Appellants : Mr.P.Kumaresan,
Additional Advocate General
For Respondent : Mr.M.Muruganantham

J U D G M E N T

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

Challenge is to the order of the writ Court dated 11.02.2011 made in W.P.No.2038 of 2011, in and by which, the writ Court directed the respondent to be appointed as Police Constable Grade II condoning the lapse of non-disclosure of a criminal case that was registered against him.

2. The writ Court found that the offences complained of are very minor offences and as such the non-disclosure cannot invite a drastic consequence of rejection of his candidature. In coming to the said conclusion, the writ Court had relied upon the judgment of the Hon'ble Supreme Court in *Dhananjay Malik and others Vs. State of Uttaranchal and others* reported in (2008) 4 SCC 171.



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3. Even subsequently in *Avtar Singh Vs. Union of India and*

others reported in (2012) 8 SCC 748, the Hon'ble Supreme Court had held that whether such non-disclosure is condonable or not would depend upon the seriousness of the offence complained.

4. Considering the fact that the offences for which the case was registered against the respondent were very minor offences, we do not propose to interfere with the order of the writ Court. Though the order of the writ Court is dated 11.02.2011, it is stated that the same has not been complied with till date and a contempt petition is pending. The respondent has also filed an affidavit stating that he is willing to forgo his seniority from the year 2010 to till date.

5. In such circumstance, we direct the Authorities to implement the order of the writ Court forthwith and in any event the respondent would be entitled to seniority as if he was appointed today i.e., 18th of June 2025. He will be sent for training with the 2025 Batch. We make it clear that the seniority of the respondent will not depend on the marks obtained by him in



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the examination conducted by the Police Training College, in view of the fact that the respondent had already given up his claim for appointment along with the Batch of the year 2010. The seniority will be determined as if he joined duty on 18.06.2025.

6. Accordingly, this Writ Appeal is **disposed of**. No costs.

Consequently, the connected miscellaneous petition is closed.

(R.S.M.,J.) (K.S.,J.)
18.06.2025

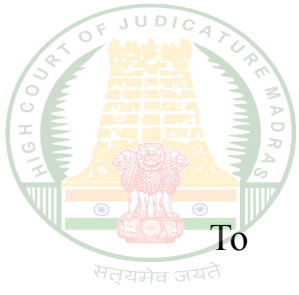
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Index : No

Internet : Yes

Neutral Citation : No

Speaking order



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To

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