



W.A(MD)No.2168 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.A(MD)No.2168 of 2024

K.Mareeswaran

... Appellant

VS.

**1.The Director General of Police,
Tamil Nadu Police Department,
Mylapore,
Chennai – 600 004.**

**2.Tamil Nadu Uniformed Services Recruitment Board,
Represented by its Member Secretary,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore,
Chennai – 600 008.**

**3.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.**

... Respondents



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PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 21.04.2023 made in W.P(MD)No.7225 of 2023 on the file of this Court.

For Appellant : Mr.G.Thalaimutharasu

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
Assisted by
Mr.M.Sarangan
Additional Government Pleader

JUDGMENT

(Judgment of the Court was delivered by S.M.SUBRAMANIAM, J.)

This intra-court appeal has been instituted to assail the writ order dated 21.04.2023 passed in W.P(MD)No.7225 of 2023.

2.The appellant participated in the process of selection for recruitment to the post of Grade-II Police Constable for the year 2020. He was successful in the written examination and participated in the physical verification test. During the police verification, it was found that the



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appellant had been involved in two criminal cases registered at Soolakarai Police Station. (i) Crime No.171 of 2014 under Sections 147, 148, 294(b), 323 and 506(ii) of IPC, in which he was arrayed as A.2. The case ended with an order of acquittal under Section 248(1) of Cr.P.C by the learned Judicial Magistrate No.II, Virudhunagar in C.C.No.212 of 2014 dated 26.02.2015. (ii) Crime No.51 of 2019 under Section 435 of IPC, which was referred to as undetected. Consequently, the appellant was not selected and a rejection order was passed by the Superintendent of Police, Virudhunagar District, vide proceedings dated 09.03.2023 which came to be challenged in the writ proceedings. The writ Court dismissed the Writ Petition.

3.The learned Additional Advocate General appearing for the respondents submitted that as per the Rules, a person, who is acquitted or discharged on benefit of doubt or due to the fact that the complainant turned hostile, shall be treated as a person involved in a criminal case. Therefore, the non-selection of the appellant is in consonance with the Rules and the Writ Appeal is liable to be rejected.



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4.This Court is of the considered view that selection, *per se*, cannot be claimed as an absolute right. Selection to Uniformed Services are to be made by strictly following the procedures as contemplated. Verification of antecedents and character is of paramount importance in the selection and appointment process for Uniformed Services. The decision of the Selection Committee regarding the antecedents became final and the Court is not expected to substitute the views of the Selection Committee in such matters relating to character and antecedent of a person for selection to the post of police constable.

5.Mere acquittal would not provide a ground to seek selection and appointment. When selection, *per se*, is not a right and verification of character and antecedents is to be made by the competent authorities, this Court is of the considered opinion that the dismissal of the Writ Petition by the writ Court is in consonance with the established principles.



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6.Rule 14(b)(ii) and (iv) of the Special Rules for the Tamil Nadu Special Police Subordinate Services, Explanation (i) stipulates that “a person who is acquitted or discharged on benefit of doubt or due to the fact that the complainant turned hostile shall be treated as a person involved in a criminal case”.

7.In the present case, the appellant was acquitted under Section 248(1) of Cr.P.C and therefore the facts of the appellant falls squarely within the ambit of the above Rule.

8.Even in respect of acquittal, in other circumstances, the same will not provide any right to seek selection and appointment. It is for the competent Selection Committee to assess the character and antecedents of the candidates. Therefore, this Court is of the considered opinion that the scope of interference in exercise of powers of judicial review in selection matters relating to Uniformed Services are limited. This Court finds no infirmity in respect of the writ order passed in the Writ Petition.



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9. Accordingly, this Writ Appeal is dismissed. There shall be no order as to costs.

[S.M.S.,J.] & [G.A.M.,J.]
26.08.2025

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



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and
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ps

ORDER MADE IN
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DATED : 26.08.2025