



W.P.(MD).No.30572 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.30572 of 2024

and

W.M.P.(MD).No.25665 of 2024

M.Kannan

...Petitioner

-Vs-

1.The Tamilnadu Uniformed Services Recruitment Board,
Rep. by its Chairman,
Old Commissioner Office Campus,
Pantheon Road,
Egmore, Chennai-600 008.

2.The Director General of Police,
Head Office,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.

3. The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings of the third respondent made in their



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proceedings in C.No.A3/E-5446166/188/2023 dated 04.12.2024 and to quash the same and consequently direct the respondents to select the petitioner for training of the common recruitment of Grade II Police Constable/Grade II Jail Warders/Fireman-2023.

For petitioner : Mr.G.Bhagavath Singh

For Respondents : Mr.Veera Kathiravan,
Additional Advocate General
Assisted by
Mr.A.Baskaran,
Additional Government Pleader

ORDER

The instant writ petition has been filed by an aspirant to the post of Grade II constable pursuant to the notification of the year 2023, seeking to quash the order passed by the third respondent dated 04.12.2024, wherein, his candidature has been rejected for his involvement in a criminal case.

2. A perusal of the impugned order passed by the third respondent reveals that the petitioner was made as an accused in Crime No.57 of 2021 on the file of the Palayanoor Police Station, Sivagangai District for the



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alleged offences punishable under section 143 and 269 of IPC on 28.05.2021. As per the impugned order, the petitioner was arrayed as a 33rd accused in the charge sheet. In view of his involvement in the said criminal case, the candidature of the writ petitioner has been rejected. After the impugned order, two of the accused persons in the above said criminal case have filed a CrI.OP.(MD).No.22000 of 2024. This Court by an order dated 13.12.2024, had directed the police authorities to remove the case in Crime No.57 of 2021 from CCTNS records, which in effect erases the criminal case as against the writ petitioner also.

3. The learned Additional Government Pleader appearing for the respondent herein, on instructions submits that the training for the first batch candidates have commenced on 04.12.2024. Therefore, the petitioner cannot be accommodated in the first batch. The authorities are willing to accommodate the petitioner in the next batch. In view of the fact that no new recruitment process has been initiated, the question of seniority of the petitioner being affected does not arise.



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4. Considering the above said facts, the order impugned in this writ petition is set aside and the respondents are directed to issue appointment order to the writ petitioner and permit the petitioner to participate in the training programme in the next batch. The appointment order shall be issued within a period of four weeks from the date of receipt of a copy of this order.

5. With the above said observations, this writ petition is allowed.
No costs. Consequently, connected miscellaneous petition is closed.

03.01.2025

Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
gvn



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To

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R.VIJAYAKUMAR,J.
gvn

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