



WEB COPY

WP No. 10765 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 10765 of 2024

S.Dhinesh Kumar
S/o.Sundaravadivel, No.100, Padaiveetamman
Kovil Street, Panruti Taluk, Cuddalore District.

..Petitioner(s)

Vs

1. The Director General Of Police
Kamarajar Salai, Chennai-4.
2. The Superintendent Of Police
Cuddalore District, Cuddalore.

..Respondent(s)

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India praying to issue a writ of certiorarified mandamus to call for the records pertaining to order of rejection passed by the 2nd respondent in C.No.A4/ 222/ 2022 dated 16.05.2023 and quash the same and consequently direct the 2nd respondent to issue an order of appointment to the petitioner appointing him a police constable Grade - II with all consequential monetary benefits.

For Petitioner(s): Mr.M.Gnanasekar

For Respondent(s): Mr.P.Ganesan, AGP

ORDER

This Writ Petition has been filed challenging the order dated 16.05.2023 passed by the second respondent, thereby rejecting the petitioner's candidature for the post of Police Constable Grade-II.



2. It is the case of the petitioner that the petitioner was qualified and eligible to apply for the post of Police Constable Grade-II. While being so, the second respondent issued a notification inviting applications for recruitment to the said post, pursuant to which, the petitioner applied. The petitioner had passed the examination and also successfully completed the physical test and medical test. Thereafter, the petitioner was given a verification roll form. However, after police verification, the petitioner was informed, by an order dated 16.05.2023, that his candidature was rejected on the ground that he was involved in a criminal case registered in Crime No.35 of 2020 for the offence under Sections 279, 338 of IPC. Subsequently, the said FIR culminated in a criminal trial in S.T.C.No.32 of 2021, which ended in acquittal by Judgment dated 06.06.2023. He further submitted that suppression of such acquittal ought not to be a ground to reject his candidature for the post of Tamil Nadu Special Police.

3. Per contra, Mr. P. Ganesan, learned Additional Government Pleader, submitted that the recruitment notification contains a clear and categorical stipulation requiring candidates to disclose their involvement in any criminal case and that the petitioner, having suppressed the fact of his involvement in a criminal case which ended in acquittal, is not entitled to appointment to the said post. He further submitted that the petitioner was acquitted only on account of benefit of doubt. In support of his submission, reliance was placed on the



decision of the Hon'ble Supreme Court in Rajasthan Rajya Prasan Nigam Limited and another Vs. Anil Kan Many made in C.A.Nos.5743-5744 of 2021.

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4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. A similar prayer has been already dealt by this Court in W.P.No.30620 of 2017 by an order dated 12.02.2026, wherein, it is observed as follows:

“10. The Hon'ble Supreme Court, in Bhupendra Yadav's case (supra), referred to the judgment of the three-Judge Bench in Avatar Singh vs. Union of India and others, (2016) 8 SCC 471, wherein, at paragraph 38.4, it was held that in cases of suppression or false information regarding involvement in a criminal case where conviction or acquittal had already been recorded prior to submission of the application/verification form, and such fact later comes to the knowledge of the employer, appropriate recourse may be adopted depending on the facts of the case. In paragraph 38.4.3, it was further held that where acquittal is not a clean acquittal but based on technical grounds, compromise, or benefit of doubt in cases involving moral turpitude or serious offences, the employer may consider antecedents and take an appropriate decision.

11. In the present case, upon verification, it was



found that the petitioner had deliberately suppressed the fact of his involvement in a criminal case, which ended in acquittal on account of compounding of offences. The respondents were, therefore, justified in taking a decision not to appoint the petitioner to the post of Tamil Nadu Special Police. Moreover, as on date, no vacancy is available in the said post. Under such circumstances, the petitioner is not entitled to the relief sought.”

Since the above order applies in all fours to the present case, this

Writ Petition stands dismissed. No costs.

05-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ssa

To

1.The Director General Of Police
Kamarajar Salai, Chennai-4.

2.The Superintendent Of Police
Cuddalore District, Cuddalore.



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P.T.ASHA, J.

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