

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.A.No.1424 of 2023

AND

C.M.P.No.13900 of 2023

M.Kumaresan

... Appellant

-VS-

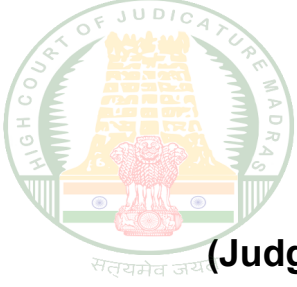
1. The Director General of Police
Law and Order, Tamil Nadu,
Dr.Radhakrishnan Salai, Mylapore,
Chennai- 600004.
2. The Member Secretary
Tamil Nadu Uniform Services,
Recruitment Board,
P.T.Lee Chengalvarayan Naicker Maligai,
No.807, 2nd Floor, Anna Salai,
Chennai – 600 002.
3. The Superintendent of Police
Kancheepuram District,
Kancheepuram.

... Respondents

Prayer: To set aside the order passed by the Hon'ble Court in
W.P.No.14229 of 2020 dated 27.07.2022.

For Appellant: Mr.A.R.Suresh

For Respondents: Dr.R.Gouri,
Govt. Counsel



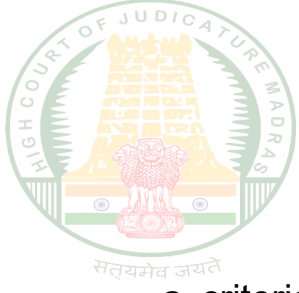
J U D G M E N T

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

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Under assail is the Writ Order dated 27.07.2022 in W.P.No.14229 of 2020. Writ Petitioner is the appellant herein.

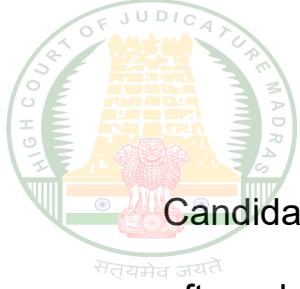
2. Appellant participated in the process of selection for appointment to the post of Grade-II Constable in Tamil Nadu State Police Service. In pursuance of the recruitment notification issued in the year 2017, appellant participated in the process of selection. He passed the written examination and was called for to attend the physical verification test. During verification of certificate, Selection Committee found that a criminal case was pending against the appellant in C.C.No.212 of 2011 for offences under Sections 147, 148, 294(b), 506(ii) IPC r/w 149 IPC. The appellant was an accused in the said criminal case. Thus, an order of rejection was passed mainly on the ground that the appellant was involved in a criminal case, which was admitted by him even in his application. That apart, as per Rule 14 (2) Sub Rule (b) (iv) of the Special Rules for the Tamil Nadu Special Police Subordinate Service Rules, 1978, for appointment to the post of Grade-II Constable, the candidate should not have involved in any criminal case and his conduct and character must be satisfactory.



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3. Thus, verification of antecedents, conduct and character is a criteria, as contemplated under the Rules, which is to be done by Selection Committee and the decision taken by Selection Committee is final. Court cannot substitute views of Selection Committee in respect of the decision of suitability and eligibility, more specifically regarding conduct, character and antecedents. The selection is to the post of Uniform Service. The decision of Selection Committee on assessment of conduct, character and antecedents is binding, unless there is an incriminating evidence to show that Selection Committee acted with *mala fide* intention or in contravention to the Rules in force.

4. Mr.A.R.Suresh, learned counsel for the appellant would mainly contend that the appellant had not suppressed the fact in his application and he was successful in written examination. He was subsequently acquitted by the Criminal Court of Law in the criminal case. Alleged offences are not so serious and as per the Circular issued by the Director General of Police, each case is to be considered in the context of the facts established. In the present case, there was no proper assessment of facts before a decision was taken to reject the candidature of the appellant to the post of Grade-II Police Constable.



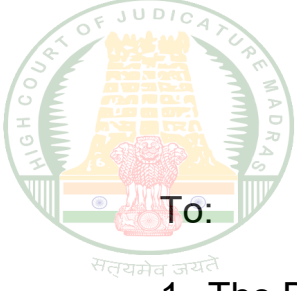
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5. In the present case, the selection was of the year 2017. Candidature of the appellant was rejected in October, 2017 and now, after a lapse of 9 years, no further consideration needs to be extended in favour of appellant, since at the time of selection process, a criminal case was pending against appellant. Selection Committee found that he was not suitable for selection to the post of Grade-II Constable. The said decision became final and therefore, any further direction to re-consider his case would be a futile exercise and would only result in institution of further litigations, which is not desirable.

6. For all these reasons, the present Writ Appeal stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

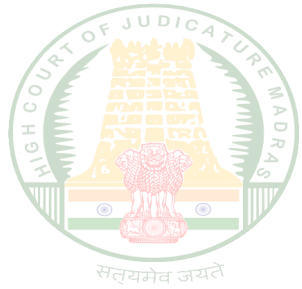
(S.M.S.,J.) (N.S.,J.)
03-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To:

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