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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

TUESDAY, THE 26TH DAY OF MAY 2026 / 5TH JYAISHTA, 1948

WP(C) NO. 17992 OF 2026

PETITIONER:

MIDHUN. M
AGED 27 YEARS
S/O.MADHUSOODANAKURUP POOVANKALAYIL VEEDU, CHITTAYIKODE
NAVAIKULAM (PO) CHIRAYINKEEZHU, THIRUVANANTHAPURAM DISTRICT,
PIN - 695603

BY ADVS.
SHRI.SOURADH C. VALSON
SRI.JACOB CHACKO

RESPONDENTS:

- 1 HINDUSTAN LATEX LIMITED (HLL) LIFECARE LIMITED
REPRESENTED BY THE CHAIRPERSON AND MANAGING DIRECTOR, REGISTERED
CORPORATE ADDRESS: HLL BHAVAN, MAHILAMANDIRAM ROAD, POOJAPPURA,
THIRUVANANTHAPURAM, KERALA, PIN - 695012
- 2 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT, HOME DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 3 DISTRICT POLICE CHIEF / VERIFYING AUTHORITY
DISTRICT POLICE CHIEF, THIRUVANANTHAPURAM CITY. OFFICE OF THE
DISTRICT POLICE CHIEF (CITY POLICE COMMISSIONER), THYCAUD,
THIRUVANANTHAPURAM, PIN - 695014

SRI. RAJEEV JYOTHISH GEORGE, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
26.05.2026, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**'CR'****BECHU KURIAN THOMAS, J****W.P.(C) No.17992 of 2026****Dated this the 26th day of May, 2026****JUDGMENT**

A verification report intended to ascertain the criminal antecedents of the petitioner, certified that petitioner was "not suitable for employment". The said verification report, issued on behalf of a District Police Chief, to the petitioner's employer, resulting in initiation of proceedings to terminate the employment of the petitioner is under challenge in this writ petition.

2. The petitioner claims to be employed at the HLL Life Care Ltd., which is stated to be a Government of India enterprise. According to the petitioner, on 21.08.2025, while he was allegedly riding a motorcycle, he met with an accident by colliding with another vehicle. A crime was registered as FIR No.1069/2025 with the Peroorkada Police Station, alleging offenses punishable under Sections 281, 125(a) and 125(b) of Bharthiya Nyaya Sanhitha, 2023. The rider of the motor vehicle that collided with the petitioner's vehicle died after the accident. According to the petitioner, the investigation into the



said crime has been completed and the final report has also been filed before the Magistrate's Court. In the meanwhile a claim petition has also been preferred by the legal heirs of the deceased in the said accident, as OP(MV) No. 1100 of 2025 before the Motor Accidents Claims Tribunal, Neyyattinkara seeking compensation.

3. In the meantime, the petitioner who was undergoing training with the first respondent was directed to submit an attestation form for verification of his character and antecedents by his employer which was duly submitted. The details of the criminal case pending against the petitioner was also submitted to the verifying authority. After verifying the details of the petitioner, the third respondent issued Ext.P7 verification report dated 08-05-2026, specifying that the petitioner is "not suitable for appointment". Reference was made in the report to Crime No.1069/2025 of Peroorkada Police Station. According to the petitioner, based upon the said verification report, his employer has issued Ext.P8 show cause notice, calling upon him to show cause as to why his appointment should not be cancelled due to the adverse police report. Thus, the petitioner is compelled to challenge the verification report issued by the third respondent.

4. I have heard Sri. Souradh C. Valson, learned counsel for the



petitioner as well as Sri.Rajeev Jyothish George, the learned Government Pleader.

5. Since, the learned counsel for the petitioner confined his relief only to the challenge against Ext.P7, I am of the view that, the writ petition can be disposed of dispensing with notice to the first respondent.

6. A verification report issued by the police to an employer regarding its employees, is issued as per section 53 of the Kerala Police Act 2011 (for short 'the Act'). For easier understanding the said provision is extracted below:

S. 53. Verification of antecedents of service providers - *The Government may, by notification, direct that service providers of any type of service or of any area shall, before they start providing any service to the public, obtain a police verification certificate from the District Police Chief or such other Police authority as may be specified in respect of themselves and their employees and shall furnish, in the circumstances of each service, such reasonable and necessary information to the Police about their contemporary and past activities as may be reasonably necessary and also direct that they shall be subjected to such repeated verification after such periods as may be specified.*

Provided that the information so obtained from a service provider, other than the information which is necessary to be used for preventing or investigating a crime or for any public purpose, shall be kept confidential and shall not be disclosed to any person or to the public.

7. For issuance of the verification report, reasonable and necessary details are required to be furnished to the police. Thereafter a report is issued by the police to the employer. As the subtitle to section 53 of the Act stipulates, the report to be issued by the Police



under the said provision is a report on the antecedents. The Legislature has not contemplated the issuance of a report on the suitability of a person for a particular employment. However, the form in which the third respondent had issued the verification report of the petitioner, contained six tabular columns, of which column No. 5 and 6 are relevant for the present issue. As those two columns, (column No.5 and 6) of the report and the conclusion therein are relevant, they are extracted below:

5	Whether any criminal case is pending against the applicant, if so, specify the details or crime no, sec of Law, CC No., if any, name of the complainant, details of the offences are to be mentioned.	No
6	Whether suitable for appointment or not	Not suitable

"As per the above Reference Cited enquiry conducted through GASI 4070 Presenan V of District Special Brach Tvpm Rural. From the enquiry it is revealed that the candidate was involved in Peroorkada Police Station crime 1069/2025 U/s. 281, 125(a) and 125(b) of BNS. The case is pending before honourable JFMC IV Thiruvananthapuram and its next hearing date is scheduled on 18-07-2026. Hence he is not suitable for the post."

7. The verification report sought for from the third respondent was only regarding the antecedents of the petitioner, which can no doubt contain details of criminal cases pending against him. A perusal of the above observations and report in Ext.P7 reveals that it has been



issued without any application of mind. In the tabular column it is mentioned that no crime is registered against the petitioner, while in the report, there is a reference to a crime apart from an observation that he is not suitable for the post.

8. In a report verifying the antecedents of an applicant for employment, it is not open for a police officer, even of the stature of the third respondent, to state whether that person is suitable for appointment or not. The verification report can only contain the details of the criminal antecedents of an applicant. Suitability or otherwise of an applicant to a post, based on the criminal antecedents if any, is the prerogative of the employer. It must always be open to the employer to decide whether the existence of any criminal case would render an applicant unsuitable or not. In other words, the suitability of an applicant to a post cannot be decided by the police.

9. I am fortified in the above view by the observations of a learned Single Judge in **Manju B. v. District Police Chief [2022 KER:39103]**, wherein in similar circumstances it was observed as follows:

"I find substantial merit in the contention urged on behalf of the petitioner. It is for the employer to decide as to the suitability for appointment of a candidate. For arriving at such decision the employer is calling for input in the form of police verification report.



The verifying authority has to enquire and report about the character and antecedents of the person sought to be appointed and is not expected to express any opinion about the suitability of the person about whom the report is called for, nor would the employer be bound by any such opinion."

10. Thus, when an input is called for from the police by an employer regarding the character and antecedents of a person sought to be appointed or already appointed, the police officer is not expected to express any opinion about the suitability of that person. The tabular column No.6, in the Form for issuing the verification report is legally unsustainable. In fact, the Government would do well, by deleting column No.6 in the format for issuing the verification report.

11. Be that as it may, in the instant case, the verification report sought for from the third respondent contained an observation that petitioner is "not suitable for appointment" and the only reference is to his involvement in Crime No.1069/2025 of Peroorkada Police Station which relates to offences under Sections 281, 125(a), 125(b) of Bharthiya Nyaya Sanhitha, 2023. The observation of the third respondent in Ext.P7 that petitioner is "not suitable" is without authority, arbitrary and perverse. It fails all comprehension even, as to how an applicant will become unsuitable for a post due to a motor vehicle accident, unless of course, the employment in question, relates



to driving of vehicles.

12. In view of the above discussion, the observation “not suitable” in column no.6 as well as in the concluding portion of Ext.P7 verification report issued by the third respondent is perverse, arbitrary and is hence quashed. The said observation cannot be used against the petitioner.

The writ petition is allowed as above.

Sd/-

BECHU KURIAN THOMAS
JUDGE

SMF



APPENDIX OF WP(C) NO. 17992 OF 2026

PETITIONER EXHIBITS

Exhibit P1	TRUE COPY OF THE APPOINTMENT ORDER BEARING NO. HLL/10-3753/2026/1028 DATED 24.02.2026
Exhibit P2	TRUE COPY OF THE FIRST INFORMATION REPORT BEARING FIR NO. 1069 OF 2025 REGISTERED AT PEROORKADA POLICE STATION DATED 25.08.2025
Exhibit P3	TRUE COPY OF THE FINAL REPORT SUBMITTED TO THE HON'BLE JUDICIAL FIRST CLASS MAGISTRATE COURT - IV, THIRUVANANTHAPURAM DATED NIL
Exhibit P4	TRUE COPY OF OP (MV) NO. 1100 OF 2025 PREFERRED BEFORE THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, NEYYANTINKARA
Exhibit P5	TRUE COPY OF THE ATTESTATION FORM SUBMITTED BY THE PETITIONER DULY REFLECTING THE PENDING CASE
Exhibit P6	TRUE COPY OF THE REPLY ISSUED TO THE PETITIONER UNDER THE RIGHT TO INFORMATION DATED 17.04.2026 BY THE STATE PUBLIC INFORMATION OFFICER OF THE PEROORKADA POLICE STATION
Exhibit P7	TRUE COPY OF THE VERIFICATION REPORT OF THE 3RD RESPONDENT DATED 08.05.2026
Exhibit P8	TRUE COPY OF THE SHOW CAUSE NOTICE ISSUED TO THE PETITIONER BY THE 1ST RESPONDENT DATED 21.05.2026