

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.12627 of 2015
and M.P.No.1 of 2015

1.G.Vetri venthan
2.C.Punniyamoorthy
3.M.Veerasamy
4.C.Vinayagar
5.P.Kannan

... Petitioners

Versus

1.The Union of India
Rep. By the Secretary
Ministry of Home Affairs
Police Division-II
(Resettlement and Welfare Directorate)
North Block, New Delhi-110 001

2.The Government of Tamil Nadu
Rep. Chief Secretary
Fort St.George
Chennai-600 006

3.Tamil Nadu Public Service Commission
Rep. By the Chairman
Frazer Bridge Road, V.O.C.Nagar
Park Town, Chennai-600 003

4.The Secretary
Tamil Nadu Public Service Commission
Frazer Bridge Road, V.O.C.Nagar
Park Town, Chennai-600 003

5.The Director General of Resettlement
Ministry of Defence
Government of India
West Block IV, R.K.Puran
New Delhi-110 066

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the 2nd , 3rd and 4th respondents to consider and appoint the petitioners as Junior Assistant as per the notification No.4404/PSD-B/PSD-J/2014 dated 05.06.2014 under the 5% of the Ex-servicemen quota within time frame stipulated by this court.

For Petitioners : Dr.R.Gouri

For Respondents : Mr.V.Jayaprakash Narayan, Spl.G.P.

ORDER

The first and fifth petitioners had served in Border Security Force and the second, third and fourth petitioners had served in Central Reserve Police Force. They are Ex-Central Armed Police Force(EX-CAPF). They applied for the post of Junior Assistant under 5% Reservation quota of Ex-Servicemen for the year 2013-14 pursuant to Notification dated 05.06.2014 issued by the fourth respondent.

2. It is the apprehension of the petitioner that reservation meant for Ex-servicemen would not be extended to persons worked in Border Security Force and Central Reserve Police Force. The petitioners also sent representations to the first respondent as well as TNPSC requesting to extend the benefits entitled to the Ex-Servicemen of Defence Force to the Ex-CAPF Personnel.

3. Now, the petitioners filed this Writ Petition seeking direction to the respondents to consider and appoint them as Junior Assistant as per Notification No.4404/PSD-B/PSD-J/2014 dated 05.06.2014 under 5% of the Ex-servicemen quota.

4. The crux of the prayer is that the persons served in C.R.P.F., and B.S.F., are also to be considered as Ex-servicemen under the 5% quota of reservation of Ex-servicemen quota.

5. At the time of hearing, learned counsel for the petitioner submitted that the Writ Petition could be disposed of directing the second respondent to pass orders on the detailed representation made by the petitioners dated 17.06.2014 within a short period as the same would affect employment opportunities of the persons working in B.S.F., and C.R.P.F.

6. Taking note of the prayer made in the writ petition and also the submission made by the learned counsel for the petitioner, the Writ Petition is disposed of directing the 2nd respondent to

consider and pass orders on the representation of the petitioners dated 17.06.2014 within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected M.P.No.1 of 2015 is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

nvsri

To

- 1.The Secretary, Ministry of Home Affairs
Police Division-II, (Resettlement and Welfare Directorate)
North Block, New Delhi-110 001.
 - 2.The Chief Secretary, Fort St.George, Chennai-600 006
 - 3.Tamil Nadu Public Service Commission
Rep. By the Chairman, Frazer Bridge Road, V.O.C.Nagar
Park Town, Chennai-600 003
 - 4.The Secretary, Tamil Nadu Public Service Commission
Frazer Bridge Road, V.O.C.Nagar
Park Town, Chennai-600 003
 - 5.The Director General of Resettlement, Ministry of Defence
Government of India, West Block IV, R.K.Puran, New Delhi-110 066
- 1 cc to Mrs.R. Gouri, Advocate, Sr. 23191
1 cc to Government pleader, sr. 23324

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KJI (CO)
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