

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.24874 of 2015

Subramanian

... Petitioner

Vs.

1. The Additional Director General of Police,  
and Inspector General of Prison,  
Tamil Nadu Prison Department,  
CMDA Towers, Egmore, Chennai - 600 008
2. The Superintendent of Prison,  
Central Prison-II, Puzhal,  
Chennai - 600 066

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to make correction as SSLC pass in petitioner's Service Register based on the representation, dated 08.01.2015.

For Petitioner : Mr. M.R.Senthil Kumar

For Respondents : Mr. S.Gnanasekaran, Govt. Advocate

O R D E R

Admit. Mr. S.Gnanasekaran, learned Government Advocate, takes notice for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner would state that, he has passed SSLC examination during the year 1977 and thereafter, joined Vivekananda College, Mylapore, Chennai, in the Pre-University Course (PUC), in LEH Group, and completed the course during April 1978, but did not pass PUC and he was issued with the Transfer Certificate by the said institution. The petitioner was appointed as Grade-II Warder in Tamil Nadu Prison Department, on 11.01.1988 and was promoted as Grade-I Warder in the year 2010. However, the name of the petitioner was not included in the panel for promotion of Chief Head Warder, in the year 2013, for the reason that he was not passed SSLC. However, the petitioner, in this regard, has submitted a representation, dated 08.01.2015, to the first respondent, stating that after passing SSLC,

he joined in Vivekananda College, Mylapore, Chennai, in Pre-University Course and though he did not pass the said course, he was issued with the Transfer Certificate and therefore, there is no impediment for the respondents to make correction, in the petitioner's Service Register, as SSLC pass, and to enlist the petitioner's name in the panel of Chief Head Warder. Since no orders have been passed on the said representation, the petitioner has come forward to file this writ petition.

3. This Court heard the submissions of the learned counsel for the petitioner and Mr.S.Gnanasekaran, learned Government Advocate, who accepts notice on behalf of the respondents.

4. Though the petitioner prayed for a larger relief, this Court, without going into the merits of the claim projected by the petitioner and in the light of the above facts and circumstances, directs the second respondent to consider and dispose of the petitioner's representations, dated 21.05.2014 and 08.01.2015, on merits and in accordance with law, after providing an opportunity of personal hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order, and communicate the decision taken to the petitioner.

5. This writ petition is disposed of accordingly. No costs.

srk

s/d-  
Assistant Registrar(LA)

True Copy

Sub-Assistant Registrar

To

1. The Additional Director General of Police,  
and Inspector General of Prison,  
Tamil Nadu Prison Department,  
CMDA Towers, Egmore, Chennai - 600 008

2. The Superintendent of Prison,  
Central Prison-II, Puzhal,  
Chennai - 600 066

+ 1 cc to Mr.M.R.Senthil Kumar, Advocate SR 42080

+ 1 cc to Govt.Pleader SR 42371

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