

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 05.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31161/2015

A.Balasubramanian

...Petitioner

Versus

1. The Secretary to Home Department,
Government of Tamil Nadu.
Fort St George,
Chennai 600 009.

2. The Director General of Police
Kamrajar Salai,
Mylapore,
Chennai 600 004.

3. The Superintendent of Police
Coimbatore District.

...Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 2nd and 3rd respondents to revise and regularise the service seniority and give the notional promotion and revise the pension with monetary benefits equal to the post of Inspector of Police Rank to the petitioner on the basis of the implementation order passed to the D.Thangapandiyan SSI, S.Michel Antony SSI, R.Paul Durai, SSI and their proceedings C.No.A1/12265/2013 R.O.O.No.141/2015 dated 27.03.2015 and on the basis of the petitioner's representation dated 05.06.2015.

For Petitioner : Mr.A.Rajaram

For RR 1 to 3 : Mr.V.Subbiah, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner, was enlisted on 01.12.1965 and got periodical promotions upto the level of Special Sub Inspector of Police in the year 2000 and he retired from service on 31.05.2003. The petitioner has given very many representations to the respondents for regularisation of his service and to fix his seniority on the basis of G.O.Ms.No.1681, Home [Police V] Department dated 12.10.1992 and G.O.Ms.No.844, Home [Police-V] Department dated 03.06.1997 and since it has failed to invoked any kind of response, the petitioner came forward to file this writ petition.

3 Learned counsel for the petitioner would submit that persons similarly placed, viz., D.Thangapandiyan, S.Michel Antony and R.Paul Durai, have filed WP [MD] Nos.2989, 2888 and 2864/2011 before the Madurai Bench of this Court and got favourable orders. The said order was put to challenge in WA [MD] Nos.361, 364 and 367/2012, which had ended in dismissal and so also the SLP [Civil] Nos.19349 to 19351/2014 by the Hon'ble Supreme Court of India and hence, prays for similar relief.

4 Learned counsel for the petitioner would also submit that in this regard, the petitioner has submitted number of representations and the last of such representation was submitted on 05.06.2015 and since no orders have been passed, the petitioner has been constrained to approach this Court, by filing the present writ petition.

5 Heard the submissions of the learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

6 Though the petitioner has sought for a larger relief, this Court, in the light of the above facts and circumstances directs the 2nd respondent to consider and dispose of the petitioner's representation dated 05.06.2015 on merits and in accordance with law, after taking note of the order passed by the District Police Office, Tirunelveli dated 26.03.2015 and the proceedings of the Deputy Inspector General, Tirunelveli Range dated 27.03.2015 and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7 The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary to Home Department,
Government of Tamil Nadu.
Fort St George, Chennai 600 009.
2. The Director General of Police
Kamrajar Salai, Mylapore,
Chennai 600 004.
3. The Superintendent of Police
Coimbatore District.

1 CC to Mr.A.Rajaram, Advocate SR.No. 54176

1 CC to the Government Pleader, SR.No. 54081

W.P.No.31161/2015

SR (CO)
PSI (14.10.2015)

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