

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2015

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.Nos.36596 and 36597 of 2015

Kalaiyarasi ... Petitioner in W.P.No.36596
of 2015

V.Abraham Cruz Durairaj ... Petitioner in W.P.No.36597
of 2015

Vs.

1. The Secretary to Government,
Home (Police-3) Department,
Fort St George, Chennai 9.
2. The Director General of Police,
Law & Order,
Mylapore, Chennai-04 ... Respondents in both W.P.'s

Prayer in W.P.No.36596 of 2015:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and dispose of the representation of the petitioner dated 23.10.2015 in the light of Government Orders in G.O.(Ms) No.93 Home (Police-3) department dated 06.02.2015 and G.O.(Ms). No.684 Home (Police-3) Department dated 03.10.2015 within a reasonable time.

Prayer in W.P.No.36597 of 2015:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and dispose of the representation of the petitioner dated 26.10.2015 in the light of Government Orders in G.O.(Ms) No.93 Home (Police-3) department dated 06.02.2015 and G.O.(Ms). No.684 Home (Police-3) Department dated 03.10.2015.

For Petitioner : Mr.S.Sivakumar
(in both W.P.'s)
For Respondents : Mr. M.L.Mahendran
(in both W.P.'s) Government Advocate

C O M M O N O R D E R

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

2. The petitioners would state that they were appointed as Sub-Inspectors of Police during the recruitment year 1997-98. The persons who secured lower marks were sent for training in the first batch on 16.04.1999 and consequently promoted as inspector of police prior to the petitioners. Similarly situated Sub-Inspectors earlier filed writ petition to re-fix their seniority taking into account their initial appointment.

3. The Government, pursuant to the direction issued by this Court issued an order in G.O.(Ms)No.93 Home (Police-3) Department dated 06.02.2015, re-fixing the seniority. The petitioners would claim that they are similarly placed and their representations requesting the first respondent to re-fix the seniority were not taken up for consideration and hence the petitioners are before this Court.

4. Heard the submissions of Mr.S.Sivakumar, learned counsel for the petitioner as well as Mr.M.K.Mahendran, learned Government Advocate who accepts notice for the respondents.

5. This Court, considering the limited prayer sought for in the writ petition directs the first respondent to consider and dispose of the representations submitted by the petitioners, dated 23.10.2015 and 26.10.2015 respectively, on merits and as per law and in the light of the Government Order in G.O.(Ms) No.93 dated 06.02.2015. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

5. This Writ Petitions are disposed of with the above directions. No costs.

-Sd/-
Asst.Registrar

/true copy

Sub Asst. Registrar

To

1. The Secretary to Government,
Home (Police-3) Department,
Fort St George, Chennai 9.
2. The Director General of Police,
Law & Order,
Mylapore, Chennai-04

+1 cc to Mr.S.Sivakumar, Advocate sr.62099

+1 cc to Government Pleader sr.62294

W.P.Nos.36596 and 36597 of 2015

sd(co)
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