

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 15.06.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.13535 of 2007
(O.A.No.1503 of 2003)

K.P.Jemini Rajan

.. Petitioner/Applicant

Vs.

1.The Deputy Inspector General of Police,
Tanjore Zone,
Tanjore.

2.The District Superintendent of Police,
Tanjore District,
Tanjore.

.. Respondents/Respondents.

Prayer: Original Application No.1503 of 2003 filed before the Tamil Nadu Administrative Tribunal, on abolition, transferred to the file of this Court and renumbered as Writ Petition No.13535 of 2007, seeking for a writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the second respondent in Proc.Na.Ka.No.3230/S2/2002 dated 11.11.2002 and to quash the same and to direct the respondents to revise the scale of pay of the petitioner as Rs.4,400/- with effect from 13.01.1998 on par with Mr.Rajendran, Head Constable No.1924 with arrears of pay and other consequential service benefits.

For Petitioner : Mr.S.M.Subramanian

For Respondents: Mr.A.Kumar

Special Government Pleader

O R D E R

This Writ Petition has been filed by the petitioner, calling for the records pertaining to the impugned order passed by the second respondent in Proc.Na.Ka.No.3230/S2/2002 dated 11.11.2002 and to quash the same and further to direct the respondents to revise his scale of pay as Rs.4,400/- with effect from 13.01.1998 on par with Mr.Rajendran, Head Constable No.1924, with arrears of pay and other consequential service benefits.

2.Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

3.The case of the petitioner is that he is receiving the basic pay less than his junior Rajendran and in this regard, he made a representation to the respondents. The second respondent in his order dated 11.11.2002, rejected his claim on the ground that the seniority list of the Special Police and the Armed Reserve are separate. Aggrieved over the same, he has come forward with the present petition.

4.The petitioner herein requested for equal pay in respect of his junior Mr.Rajendran. In this case, as rightly pointed out by the learned Special Government Pleader that the petitioner is junior to Rajendran in service. On the request of the said Rajendran, he was transferred to this department, as a result of which, he lost his seniority and was placed under him in the seniority list. For that purpose, the petitioner being junior to the said Rajendran in service, cannot seek for enhancement of pay on par with Rajendran as he was placed below him in the seniority list. In view of the same, the impugned order challenged by the petitioner is correct and does not warrant any interference from this Court.

5.With the above observation, this Writ Petition is dismissed. No costs.

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The Deputy Inspector General of Police,
Tanjore Zone,
Tanjore.

2.The District Superintendent of Police,
Tanjore District,
Tanjore.

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