

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.08.2016

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THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. Nos.26301 & 26491 of 2016
& W.M.P.Nos.22550 & 22551, 22702 & 22703 of 2016

Jiju V.M. .. Petitioner
[in W.P.No.26301 of 2016]

D.Rakesh Reddy .. Petitioner
[in W.P.No.26491 of 2016]

Vs.

1.The Director General,
CRPF, CGO Complex,
Lodhi Road, New Delhi - 110 003.

2.The Inspector General of Police,
Southern Sector CRPF,
Road No.10 C, Jubilee Hills,
Near MLA/MPs Colony,
Gayathri Hills, Hyderabad - 500 033.

3.The Commandant,
77 Bn, CRPF,
Karaianchavadi, Poonamallee,
Chennai - 600 056. .. Respondents 1 to 3
[in both W.Ps.]

4.The Commandant,
144 Bn, CRPF, Boulewad Hotel,
Dal Lake, Srinagar, [J&K]. .. 4th Respondent
[in W.P.No.26301 of 2016]

4.The Commandant,
178 Bn, CRPF, Nagam, Budgam [J&K],
C/O. 56 APO. .. 4th Respondent
[in W.P.No.26491 of 2016]

COMMON PRAYER : Writ Petitions have been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to transfer order dated 13.07.2016 issued by the third respondent in proceedings No.T.IX.2/2016-77-EC-I and his consequential movement orders dated 15.07.2016 and 14.07.2016 and quash the same in so far as petitioners are concerned and forbear the respondents from

transferring the petitioners from 77 Bn, CRPF, Poonamallee to 144 Bn CRPF, Srinagar and 178 Bn CRPF, Srinagar respectively and retain the petitioners in 77 Bn, CRPF or in other establishments of CRPF at Chennai.

For Petitioner : Mr.R.Meenakshi
[in both W.Ps.]

For Respondents : Mr.A.Murugan
[in W.P.No.26301 of 2016] CGSC

For Respondents : Mr.K.Srinivasa Murthy
[in W.P.No.26491 of 2016] CGSC

C O M M O N O R D E R

These Writ Petitions have been filed to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to transfer order dated 13.07.2016 issued by the third respondent in proceedings No.T.IX.2/2016-77-EC-I and his consequential movement orders dated 15.07.2016 and 14.07.2016 and quash the same in so far as petitioners are concerned and forbear the respondents from transferring the petitioners from 77 Bn, CRPF, Poonamallee to 144 Bn CRPF, Srinagar and 178 Bn CRPF, Srinagar respectively and retain the petitioners in 77 Bn, CRPF or in other establishments of CRPF at Chennai.

2.The petitioners joined Central Reserve Police Force as Constable General Duty [GD] in the year 2001 and 2005 respectively and they were served at various places throughout the country. According to the petitioners, they were disabled persons and the third respondent without considering their case, transferred them from Chennai to Srinagar. The petitioners have got no other alternative except to approach this Court to quash the orders dated 15.07.2016 and 14.07.2016 respectively and hence, these Writ Petitions have been filed.

3.The learned counsel appearing for the petitioners would submit that the petitioners would be satisfied, if their representations are directed to be considered and appropriate orders are passed as expeditiously as possible.

4.The learned Central Government Standing Counsel for the respondents would submit that after filing of the Writ Petitions, the petitioners gave representations to the respondents to consider their case sympathetically on the ground that they were disabled persons. He would further submit that he

has got no serious objection for directing the respondents to consider the representations of the petitioners and pass appropriate orders, on merits and in accordance with law.

5.Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioners, directs the petitioners to submit their representations afresh within a period of seven days from the date of receipt of a copy of this order and on receipt of the same, the respondents are directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of one month from the date of receipt of a copy of this order and the representation. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioners.

6.The Writ Petitions are disposed of accordingly. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Director General,
CRPF, CGO Complex,
Lodhi Road, New Delhi - 110 003.

2.The Inspector General of Police,
Southern Sector CRPF,
Road No.10 C, Jubilee Hills,
Near MLA/MPs Colony,
Gayathri Hills, Hyderabad - 500 033.

3.The Commandant,
77 Bn, CRPF,
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Chennai - 600 056.

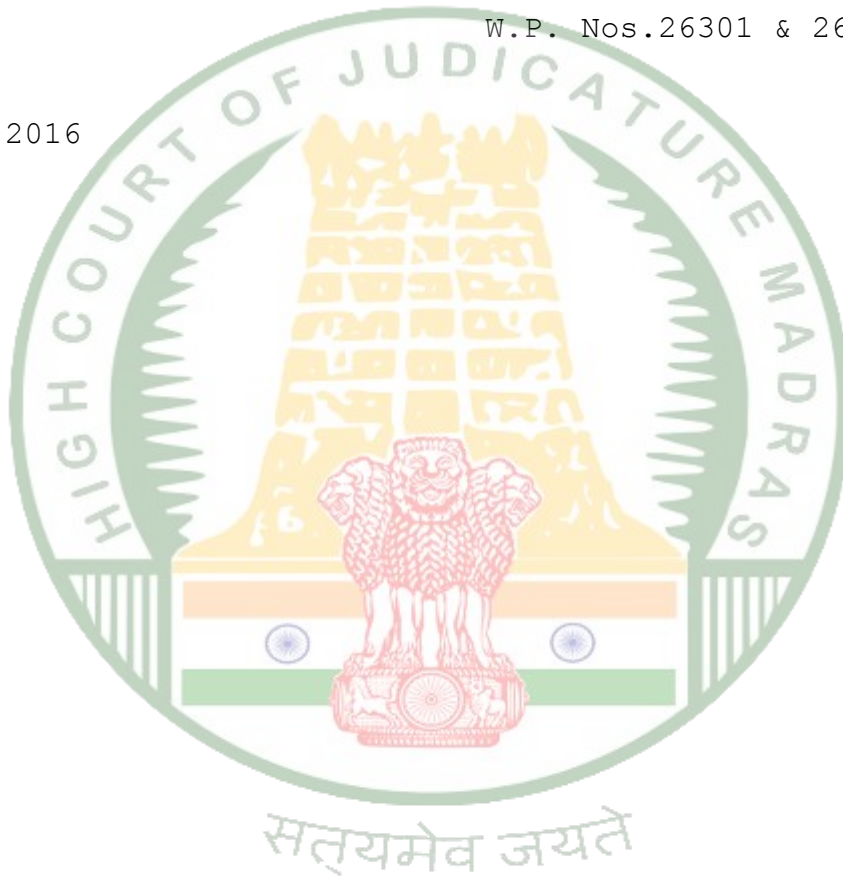
4.The Commandant,
144 Bn, CRPF, Boulewad Hotel,
Dal Lake, Srinagar, [J&K].

5.The Commandant,
178 Bn, CRPF, Nagam, Budgam [J&K],
C/O. 56 APO.

1 cc to M/s.R.Meenakshi, Advocate, sr.44783, 44782
1 cc to M/s.A.MUrughan, Advocate, sr.44664
1 cc to M/s.K.Srinivasamurthy, ACGSC, sr.44788 (23.09.2016)

W.P. Nos.26301 & 26491 of 2016

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