

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 26.4.2016

CORAM

THE HONOURABLE MR.JUSTICE SATISH K.AGNIHOTRI
AND
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Appeal Nos.516 and 517 of 2016

M.Gunasekar

Appellant in W.A.No.516 of 2016

1. E.Venugopal

2. S.Sasikumar

Appellants in W.A.No.517 of 2016

Versus

1. The Director,
Department of Employment & Training,
Thiru-vi-Ka Industrial Estate,
Guindy 600 032.

2. The Assistant Director,
District Employment Office,
Villupuram.

3. The Assistant Director,
District Employment Office,
Trichy.

4. Inspector General of Police,
State Crime Record Bureau,
95, Santhome High Road,
Chennai 600 004.

5. Mr.S.Pragdees

6. Mr.Prithiviraj

7. Mr.Solai Samuvel Manohar

8. Mr.S.Thirumalpathy

9. Mr.S.Kalaivannan

10. Mr.S.Pushparaj

11. Mr.J.M.Velu

12. Mr.G.Hasan Badsha

13. Mrs.M.Mahalakshmi

14. Mr.G.Balaji

15. Mr.J.Prasad

16. Mr.M.Raja

17. Mr.M.Manimaran

18. Mr.J.Jagan Kumar

19. Mr.A.Seshathri
20. Mr.M.Suresh Babu
21. Mr.A.Panneerselvam
22. Mrs.S.Revathy
23. Mr.R.Rajmohan
24. Mr.V.Murugesan

Respondents in W.A.516/2016

1. The Director,
Department of Employment & Training,
Thiru-vi-Ka Industrial Estate,
Guindy 600 032.
2. The Assistant Director,
District Employment Office,
Chennai.
3. Inspector General of Police,
State Crime Record Bureau,
95, Santhome High Road,
Chennai 600 004.

Respondents in W.A.517/2016

Prayer: Writ Appeals filed under Clause 15 of the Letters Patent against the order dated 10.7.2014 made in W.P.Nos.25891 and 29271 of 2012 respectively.

WP.No.25891 of 2012:Writ Petitions filed Under Art 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to consider names of the petitioners and sponsor them to the available vacant post Photographer in the Police Department which is under the control and supervision of the third respondent.

For Appellants : Mr.G.Poonkundran

For RR 1 to 4 : Ms.T.T.Girija, Government Advocate

For R5 : Mr.A.R.Suresh

For RR13, 14, 19
and 22 : Mr.M.Satheeshkumar

For R21 : Mr.M.Vidyasagar

For R15 : Mr.R.Subramanian

For RR10, 17 & 18 : Mrs.Jagasundari Balamurugan

COMMON JUDGMENT

V.BHARATHIDASAN, J.

The instant intra-court appeals are directed against the common order passed in W.P.Nos.25891 and 29271 of 2012 dated 10.7.2014.

2. Since the writ appeals arise out of a common order passed in the writ petitions, they are disposed of by a common order.

3. The appellants filed two writ petitions seeking a direction to the first respondent to consider their names and sponsor them to the available vacant posts of Photographer in the Police Department, which is under the control and supervision of the third and fourth respondent respectively. The above writ petitions have been filed on the ground that the appellants are fully qualified to be appointed as Photographers in the respondent department and also registered their names in the employment exchange, whereas respondents 5 to 24 were appointed as Photographers without appointing the appellants.

4. The learned Single Judge, after hearing the parties, held that without challenging the order of appointment of the private respondents, the writ petitions are not maintainable. However, at the request of the appellants, the learned Judge permitted the appellants to make a representations to the respondent concerned within a period of two weeks from the date of receipt of the order and the respondent concerned is directed to dispose the representations of the petitioners within a period of four weeks thereafter. Challenging the above order, the present writ appeals are filed.

5. We have heard Mr.G.Poonkundan, learned counsel for the Appellants, Ms.T.T.Girija, learned Government Advocate, for respondents 1 to 4, Mr.A.R.Suresh, learned counsel for the fifth respondent, Mr.M.Satheeshkumar, learned counsel for respondents 13, 14, 19, 22, Mr.M.Vidyasagar, learned counsel for the 21st respondent, Mr.R.Subramanian, learned counsel for the 15th respondent and Mrs.Jagasundari Balamurugan, learned counsel for respondents 10, 17 and 18.

6. Only at the request of the appellants, the learned Single Judge passed the order, directing them to make a representation and the respondents are directed to dispose their representations. After inviting an order from the Court, now, the appellants cannot make any grievance over the same.

7. Now, it is also brought to our notice that pursuant to the order passed by the learned Single Judge, the Additional Director of Police, State Crime Record Bureau, Chennai considering the representation submitted by the appellants

passed an order in and by his proceedings dated 19.8.2014 rejecting their request. Challenging the above order, the appellants filed writ petitions before this court and they are pending. Pursuant to the order passed by the learned Single Judge, the official respondent, considered the representations of the appellants passed orders, and the above orders were also challenged by the appellants before this court, in the said circumstances, nothing remains to adjudicate in the present writ appeals. Hence, the writ appeals fail and consequently, the same are dismissed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ssk.

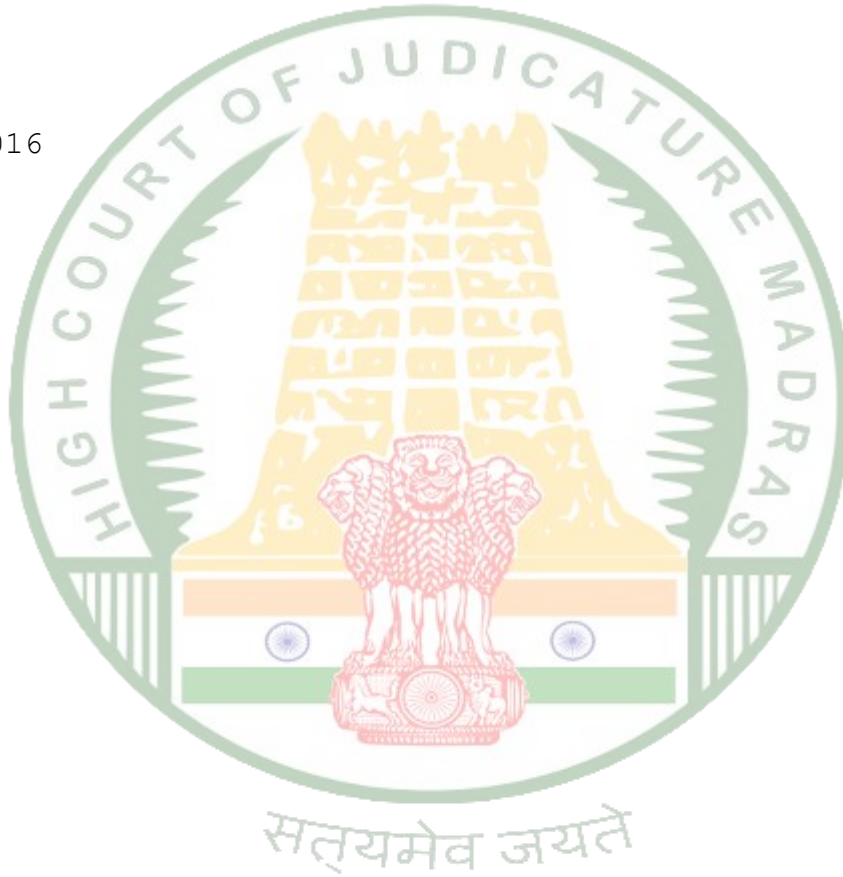
To:

1. The Director,
Department of Employment & Training,
Thiru-vi-Ka Industrial Estate,
Guindy 600 032.
2. The Assistant Director,
District Employment Office,
Villupuram.
3. The Assistant Director,
District Employment Office,
Trichy.
4. The Assistant Director,
District Employment Office,
Chennai.
5. Inspector General of Police,
State Crime Record Bureau,
95, Santhome High Road,
Chennai 600 004.

+1 cc to Mr.K.Sathish Kumar, Advocate sr.25951
+2 ccs to Mr.M.Vidyasagam Advocate sr.25989
+2 ccs to Mr.G.Poonkundran Advocate sr.26934,26933
+1 cc to Mr.A.R.Suresh Advocate sr.26134
+1 cc to Mr.R.Subramanian Advocate sr.26679
+1 cc to Government Pleader sr.26038

Writ Appeal Nos.516 &
517 of 2016

ks (co)
aa12/05/2016



WEB COPY