



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2016

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.21354 of 2016

N.Balamurugan

: Petitioner

Vs.

1. The Government of Tamil Nadu rep. by its
Secretary to Homes Department,
Fort St. George, Chennai - 600 009.

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

3. The Commandant,
T.S.P. - VI Battalion,
Madurai - 625 014.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to include petitioner's name in the select list for the year 1992-93 along with their batch mates recruited in the year 1992-93 with due seniority and award all consequential service benefits within the time stipulated by this Court.

For Petitioner

: Mr.T.Lajapathi Roy

For Respondents

: Mr.A.Muthukaruppan,

Additional Government Pleader.

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to include the name of the petitioner in the select list for the year 1992-93 along with their batch mates recruited in the year 1992-93 with due seniority and award all consequential service benefits.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who took notice for the respondents. By consent, the writ petition itself is taken up for final disposal.



3.The brief facts leading to the filing of this writ petition are as follows:

The petitioner was enlisted as Grade II Police Constable, during 1992-93. He was one among 10,376 persons selected by the Tamil Nadu Uniform Services Recruitment Board and he was also one among 376 persons, who were given appointment orders on 15.05.2000, even though the selection was made during the year 1992-93. The petitioner sent representations to the Tamil Nadu Uniform Services Recruitment Board, claiming that he is entitled to service benefits even from the year 1992-1993.

3.1.In the case of similarly placed persons, the Principal Bench of this Court in W.P.Nos.41271 to 41273 of 2016 and W.P.Nos.31551 to 31557 of 2016, has made a direction to include the name of the similarly placed persons in the selection list of 1992-93 for the purpose of seniority, making it clear that they are only entitled for pay and other allowances only from their actual date of appointment and they are not entitled for any arrears of salary from the year 1992-1993 till the date of their actual appointment. The petitioner being a similarly placed person, is also entitled to the similar relief. Claiming the similar relief, he submitted a representation to the second respondent on 09.07.2016. As his representation has not been considered, he has come up with this writ petition.

4.The learned Additional Government Pleader appearing for the respondents would submit that it is agreeable for the second respondent to consider the representation of the petitioner in the light of the earlier orders passed by the Principal Bench of this Court and to pass appropriate orders within a period of eight weeks.

5.Recording the submission made by the learned Additional Government Pleader appearing for the respondents, the second respondent is directed to consider the representation of the petitioner dated 09.07.2016 in the light of the Judgments of the Principal Bench of this Court passed in W.P.Nos.41271 of 2006, dated 25.02.2011 and W.P.Nos.31551 to 31557 of 2016, dated 09.09.2016 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks, from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (AS)

/True Copy/



To

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

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

3. The Commandant,
T.S.P. - VI Battalion,
Madurai - 625 014.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 67251

SMN

TE/GSV-PM : 23/11/2016 : 3P/5C

ORDER MADE IN
W.P (MD) No.21354 of 2016
08.11.2016