



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2016

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE SANJAY KISHAN KAUL,
THE CHIEF JUSTICE**

AND

THE HONOURABLE MR.JUSTICE NOOTY.RAMAMOHANA RAO

W.P(MD)No.5133 of 2016

and

WMP(MD)Nos.4583 to 4586 of 2016

S.Baskar Mathuram

... Petitioner

Vs.

1.The Principal Secretary to Government of
Tamil Nadu,
Home (Courts-VI) Department,
Secretariat, Chennai-600 009.

2.The Principal Secretary to Government of
Tamil Nadu,
Finance Department,
Secretariat, Chennai-600 009.

3.The Director General of Police,
No.4,Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.

4.The Director of Prosecution,
Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 004.

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned Government Order in G.O(MS) No.496 Home (CTS-VI) Department dated 12/07/2013 and quash the same as illegal, unfair and arbitrary and unconstitutional and consequently directing the respondents to cancel all the irregular appointments of legal officers who have been appointed by the District Superintendents of Police without giving any notification, without assessing the eligibility, experience, ability, special knowledge and eminence and further direct the respondents to select and appoint eligible, fit, eminent and experienced persons to assist the Superintendents of



Police by giving equal opportunity to all the deserving advocates by a selection process in a fair manner known to law.

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For Petitioner

... Mr.A.Kannan

For Respondents

... Mr.B.Pugalendhi

Spl.Govt.Pleader

ORDER

(Order of this Court was made by THE HON'BLE THE CHIEF JUSTICE)

The impugned order dated 12.07.2013 is only a sanction order creating 31 posts of Legal Officers on a consolidated retainer fee. There is nothing wrong with granting sanction of these posts.

2. It is contention of the petitioner that in pursuant to the sanction, persons have been appointed, without transparent procedure. The letter does not make the order of sanction as erroneous or unconstitutional.

3. Accordingly, this writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1.The Principal Secretary to Government of Tamil Nadu,
Home (Courts-VI) Department, Secretariat, Chennai-600 009.

2.The Principal Secretary to Government of Tamil Nadu,
Finance Department, Secretariat, Chennai-600 009.

3.The Director General of Police,
No.4, Dr.Radhakrishnan Salai, Mylapore, Chennai-600 004.

4.The Director of Prosecution,
Slum Clearance Board, No.5, Kamarajar Salai, Chennai-600 004.

+1cc to Mr.A.Kannan, Advocate Sr.No.29924

+1cc to Spl.Government Pleader Sr.No. 29667

ssm

AA/KBM/21.06.2016/2p-7c