

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.818 of 2017

R.Rajesh

... Petitioner

Vs.

- 1 The Govt. of Tamil Nadu
Rep. by the Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai - 600 007.
 - 2 The Director General of Police
Police Department
Mylapore, Chennai - 600 004.
 - 3 The Joint Commissioner of Police,
West Zone,
Greater Chennai Police,
Ambattur Industrial Estate,
Chennai - 600 058.
- Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to appoint the petitioner as Junior Assistant in their Department on Compassionate Grounds based on the 3rd Respondent's letter dated 17-12-12.

For Petitioner : Ms.K.Akhilandeswari and
M. Roselet Helan

For Respondents : Mr.K.Dhananjayan
Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2.The petitioner would state that he was appointed as Office Assistant on compassionate grounds on account of the demise of his father who died in harness. The claim of the petitioner is that in terms of G.O.Ms.No.1499 Labour and Employment (Q-1) Department dated 03.08.1989, the persons qualified for appointment as Junior Assistant at the time of initial appointment can be appointed as Junior Assistants by direct recruitment after obtaining the concurrence of the Tamil Nadu Public Service Commission under the latter part of Regulation 16(b) of the Tamil Nadu Public Service Commission Regulations, 1954. The petitioner in this regard has also submitted representation dated 14.07.2016 to the second respondent through proper channel and since no orders have been passed, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner would submit that the third respondent had already made positive recommendation to the second respondent vide ந.க.எண்.ப.பி./மே.ம/க.அ.ப.நி-97-2978-2011 dated 17.12.2012 and therefore, there cannot be any impediment for the second respondent to consider the petitioner's representation positively and post him as Junior Assistant.

4.This Court also heard the submissions of the learned Special Government Pleader appearing for the respondents.

5.Though, the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances, directs the second respondent to take into consideration the recommendation made by the third respondent in ந.க.எண்.ப.பி./மே.ம/க.அ.ப.நி/97-2978-2011 dated 17.12.2012 and pass orders on the representation dated 14.07.2016 submitted by the petitioner, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6.The writ petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

To

1. The Govt. of Tamil Nadu
Rep. by the Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai - 600 007.

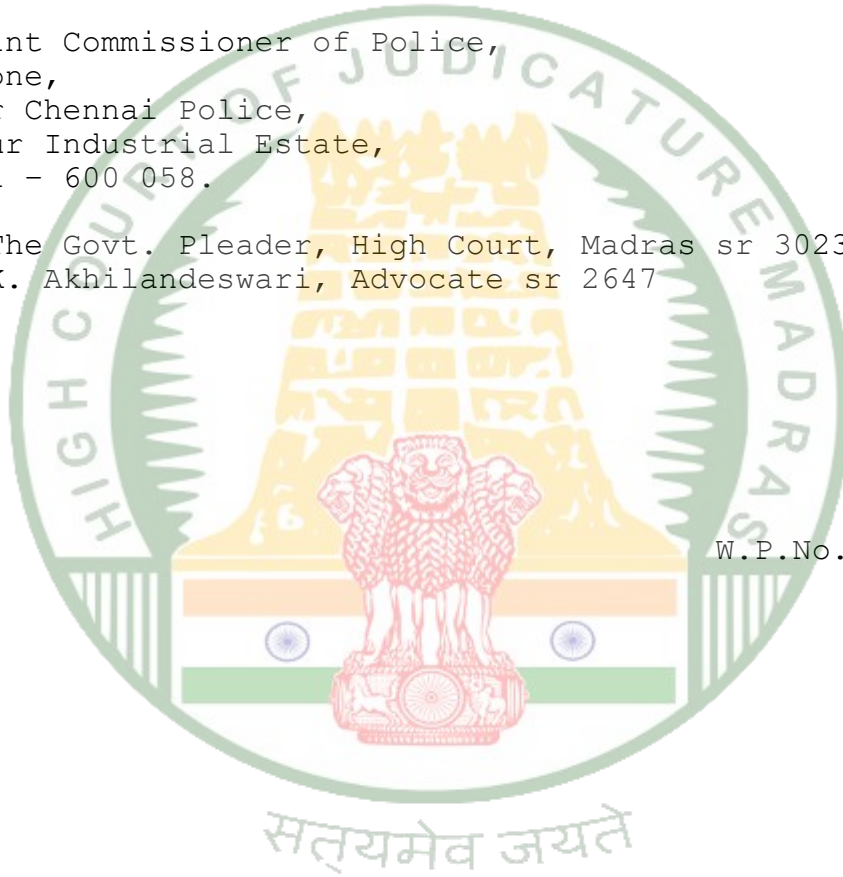
2. The Director General of Police
Police Department
Mylapore, Chennai - 600 004.

3. The Joint Commissioner of Police,
West Zone,
Greater Chennai Police,
Ambattur Industrial Estate,
Chennai - 600 058.

+1 CC to The Govt. Pleader, High Court, Madras sr 3023
+1 CC to K. Akhilandeswari, Advocate sr 2647

SS (CO)
sp/27/1

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