

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2017

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.11294 of 2017

Dr. M. Sudhakar

Petitioner

vs.

- 1 State of Tamil Nadu
represented by the Secretary
Home Department
Fort St. George
Chennai 600 009
- 2 The Director General of Police
Post Box No.601
Dr. Radhakrishnan Salai
Mylapore
Chennai 600 004
- 3 The Secretary
Tamil Nadu Public Service Commission
Frazer Bridge Road
V.O.C. Nagar
Park Town
Chennai 600 003
- 4 S.R. Senthil Kumar
Deputy Commissioner of Police
Central Crime Branch
Chennai City
No.132, Commissioner Office Building
EVK Sampath Road
Vepery, Chennai 600 007
- 5 R. Ramakrishnan
Deputy Commissioner of Police
Crime & Traffic (Salem City)
249, Cherry Road, Salem 636 007

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to re-fix the seniority by placing the petitioner at a higher position above the 4th and 5th respondents on the basis of marks obtained by the petitioner in the qualifying examination in

respect of appointments made to the post of Deputy Superintendent of Police, Category I in the Tamil Nadu Police Service 1998-99.

For petitioner	Mr. N. Senthil Kumar
For RR 1 & 2	Mr. V. Jayaprakash Narayanan Special Government Pleader
For R3	Ms. C.N.G. Niraimathi

ORDER

With consent, this writ petition is taken up for final disposal.

2.This writ petition has been preferred seeking a writ of mandamus directing the first respondent to re-fix the petitioner's seniority by placing him at a higher position above the respondents 4 and 5 on the basis of marks obtained by the petitioner in the qualifying examination in respect of appointments made to the post of Deputy Superintendent of Police, Category I in the Tamil Nadu Police Service 1998-99.

3.Today, when the matter was taken up for hearing, the learned Standing Counsel for the third respondent-Public Service Commission fairly submitted that the petitioner's ranking has been re-fixed by placing him in the 6th position .

4.However, the learned counsel for the petitioner submitted that since the candidate placed at Sl. No.1 has not joined duty still, the petitioner's seniority has to be fixed, after ascertaining as to whether the said person has joined duty or not.

5.As a riposte, it is submitted by the learned Standing Counsel for the third respondent-Public Service Commission that the request made by the learned counsel for the petitioner will follow as a natural corollary, in which event, the petitioner's seniority position will be again re-fixed.

Recording the aforesaid submission made by the learned Standing Counsel for the third respondent-Public Service Commission, this writ petition stands disposed of. Costs made easy.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1 The Secretary
Home Department
State of Tamil Nadu
Fort St. George, Chennai 600 009

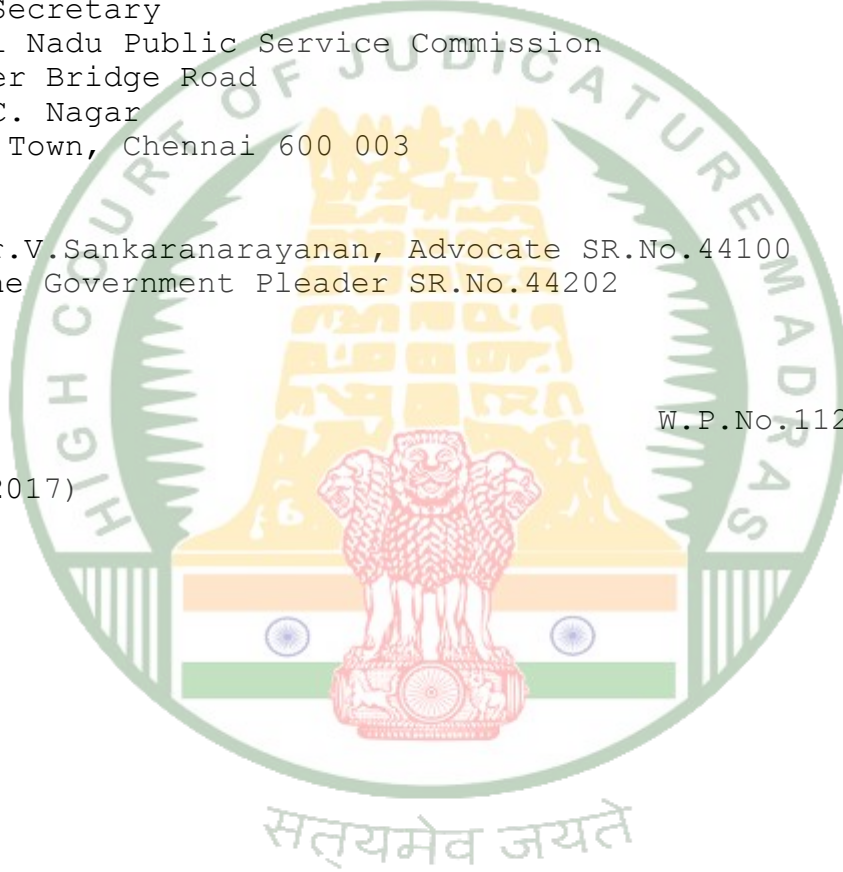
2 The Director General of Police
Post Box No.601
Dr. Radhakrishnan Salai
Mylapore, Chennai 600 004

3 The Secretary
Tamil Nadu Public Service Commission
Frazer Bridge Road
V.O.C. Nagar
Park Town, Chennai 600 003

+1cc to Mr.V.Sankaranarayanan, Advocate SR.No.44100
+1cc to the Government Pleader SR.No.44202

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GN(19/04/2017)



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