

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.6.2017

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

Writ Appeal No.518 of 2017

D.Rekha .. Appellant/Petitioner

Vs.

1. The Deputy Inspector General of Police
Recruit Training Centre
Central Reserve Police Force
Avadi, Chennai 600 065.

2. The Director General of Police
Central Reserve Police Force
CGO Complex, Lodhi Road
New Delhi 110 003.

... Respondents/Respondent

Appeal under Clause 15 of the Letters Patent filed against the order dated 10.4.2017 made in W.P.No.8459 of 2017.

filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorified Mandamus to call for the records in respect of the Office Order in Signal Message No.T-IX-30/2016- CZ-ADM-1 dated 21.09.2016 passed by the office of the 2nd Respondent and quash the same and consequently direct the Respondents not to transfer the petitioner herein

For Appellant : Mrs.R.Maheswari

For Respondents : Mrs.S.Meenakumari, CGSC

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J U D G M E N T
(Delivered by Huluvadi G.Ramesh, J)

The writ appeal is directed against the order dated 10.4.2017 made in W.P.No.8459 of 2017.

2. Heard Mrs.R.Maheswari, learned counsel appearing for the appellant and Mrs.S.Meenakumari, learned Central Government Standing Counsel appearing for the respondents.

3. It appears that the appellant has been transferred from Chennai to West Bengal by the proceedings of the second respondent dated 21.9.2016. Contending that she is eligible to be at the same place for a period of five years, as per the Standing Order issued in Order No.05/2014, the appellant filed the writ petition. The learned single Judge, taking note of the Standing Order No.07/2015 dated 04.8.2015 as regards Mahilas, which stipulates only three years tenure without any extension, dismissed the writ petition.

4. The appellant seeks extension of her tenure in Chennai for two more years on health ground and on the ground that her husband is serving in defence in Jammu and Kashmir.

5. It is not in dispute that the appellant is in Chennai for more than four years, after her transfer to Chennai on 08.5.2013. However, as per the Standing Order No.07/2015 dated 04.8.2015 issued by the Directorate General CRPF (Ministry of Home Affairs), the appellant is not entitled for any extension of time after a period of three years. The said Standing Order reads as under:

"12. Transfer of Mahila Personnel:

(i) In GC, training institutions, etc. Mahilas are authorised as a welfare measure. Tenure, there, will be for three years without any extension."

6. In view of the above, we are of the considered opinion that the learned single Judge has rightly rejected the prayer of the appellant. However, in view of the fact that the appellant is undergoing medical treatment and that her husband is serving in defence in Jammu and Kashmir, taking a sympathetic view in the matter, in modification of the order of the learned single Judge, we grant time to the appellant to continue in Chennai till 31st December, 2017. It is made clear that the appellant should report in the transferred place on before 15.01.2018.

7. The writ appeal is disposed of accordingly. However, there shall be no order as to costs. Consequently, CMP No.7441 of 2017 is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kpl

To

1. The Deputy Inspector General of Police
Recruit Training Centre
Central Reserve Police Force
Avadi, Chennai 600 065.

2. The Director General of Police
Central Reserve Police Force
CGO Complex, Lodhi Road
New Delhi 110 003.

+1cc to Mr.R.Maheswari, Advocate SR.No.44053

+1cc to Ms.S.Meenakumari, Advocate SR.No.44027

W.A.No.518 of 2017.

GJII(CO)
GN(11/07/2017)



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