

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3263 of 2017

S.P.Shanmugam

..Petitioner

Vs

1. The Secretary to Government,
Home (Police-3) Department,
Fort St.George,
Chennai - 9.

2. The Director General of Police,
Law & Order,
Mylapore,
Chennai - 4.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 1st respondent to consider and dispose of the representation of the petitioner dated 26.03.2016 in the light of the Government Order in G.O.(Ms.)No.93 Home (Police-3) Department dated 06.02.2015 and G.O.(Ms) No.684 Home (Police-3) Department dated 03.10.2015 within a reasonable time.

For Petitioner : Mr.S.Sivakumar

For Respondents: Mr.K.Dhananjayan,
Special Government Pleader

ORDER

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 is directly recruited as Sub Inspector of Police in the year 1997-98 and belongs to Most Backward Class community. He was attached to Coimbatore Range and his registration number is 150368 and secured 74.8125 marks in the recruitment. The petitioner went for training in the 2nd batch on 22.05.2000. The petitioner would further submit that the following candidates who belongs to M.B.C. community and who have secured lower marks than him have been sent for the training in the 1st batch on 16.05.1999.

Name	Community	Marks Secured in USSRB
D.Kannan	MBC	69.7500
S.Anbukarasan	MBC	69.6875
K.M.Maniraj	MBC	69.1875
R.Vivekanand	MBC	68.9378
D.Vetrivelrajan	MBC	68.8125

According to him, the persons who were less meritorious were deputed in the 1st batch training erroneously and the seniority was also fixed taking into account 75% of the Police Train College marks and 25% of the Tamil Nadu Uniform Service Recruitment Board marks. Some of the persons made a challenge before this Court by filing writ petitions and the writ petitions were disposed of directing to consider their representations and pass appropriate orders within a stipulated time. However, the first respondent, instead of considering the claim of all the persons, have taken into consideration the claim of persons who had approached this Court and passed G.O.No.93 dated 06.02.2015 stating that it is applicable to the persons who had approached the Court and got orders. The petitioner, in this regard, has also submitted a representation dated 26.03.2016 to the respondents praying for refixation of seniority on par with the 1st batch persons, based on the representation as well as G.O.No.684, Home (Police-3) Department dated 03.10.2015 and since no orders have been passed, he came forward to file this writ petition.

3. Learned counsel for the petitioner would submit that the matter in issue is covered by the earlier order of this Court dated 26.03.2015 made in W.P.No.3955 of 2015 etc. batch and the said order was also followed while passing order in W.P.No.34099 of 2015 dated 27.10.2015 and therefore, prays for appropriate orders.

4. Heard the submission of the learned counsel for the petitioner and Mr.K.Dhananjayan, learned Special Government pleader appearing for the respondents.

5. Though the petitioner prays for a larger relief, this Court in the light of the above facts and circumstances, without going into the merits of the claim projected by the petitioner, directs the respondents to consider and dispose of the petitioner's representation dated 26.03.2016 on merits and in accordance with law and in the light of the above cited Government Orders and pass appropriate orders within a period

of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1. The Secretary to Government,
Home (Police-3) Department,
Fort St.George,
Chennai - 9.
2. The Director General of Police,
Law & Order,
Mylapore,
Chennai - 4.

+1 cc to Government Pleader, sr.8859.

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