

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.27543 of 2017
and WMP.No.29437 of 2017

S.Sathish Kumar

...Petitioner

Vs.

1.The Director General of Police
Kamarajar Salai
Chennai-600 004

2.The Superintendent of Police
Kancheepuram District
Kancheepuram

...Respondents

Prayer :- Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the first respondent to depute the petitioner for Police Training commencing with effect from 01.11.2017 or on any subsequent dates.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.K.Venkataramani,
Addl.Advocate General
Assisted by
Mr.V.Jayaprakash Narayanan

ORDER

This Writ Petition has been filed seeking Mandamus directing the first respondent to depute the petitioner for Police Training commencing from 01.11.2017 or on any subsequent dates.

2. The petitioner has once again come to this court seeking the above relief. Earlier, the petitioner filed Writ Petition No.1578 of 2013, seeking to quash the order dated 10.12.2012 passed by the second respondent and to direct the second respondent to issue an order of appointment to the petitioner appointing him as Police Constable Grade II with all consequential monetary benefits. This court, by order dated 18.07.2017, directed the respondents therein, to appoint the petitioner as Police Constable Grade II with all consequential and attendant benefits and also observed that the petitioner is not entitled to wages for the period in question on the ground of "No work No pay"; however, entitled to all other benefits like seniority and continuity of service etc.

3. The learned counsel for the petitioner submits that this court passed the order in W.P.No.1578 of 2013 on 18.07.2017, allowing the Writ Petition on the terms stated therein, and with a specific direction to the respondents to comply with the said direction within a period of two months from the date of receipt of a copy of the order, but the respondents have not executed the order till date.

4. The learned counsel for the petitioner further submits that the respondents have filed Writ Appeal with delay and notice alone has been ordered by this court on 19.11.2017.

5. At this stage, the learned Additional Advocate General, appearing for the respondents submitted that since Writ Appeal has already been filed against the order dated 18.07.2017, sufficient time be given to take a final call.

6. This court, taking note of the fact that there is no order in appeal against the direction given by this court dated 18.07.2017 passed in W.P.No.1578 of 2013 and also taking note of the fact that training for Grade II Police Constable has already been commenced, this court is inclined to pass the following order:-

"The respondent is directed to implement the order passed by this Court in W.P.No.1578 of 2013 dated 18.07.2017, within two weeks, subject to the result of the Writ Appeal. "

With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected WMP is closed.

सत्यमेव जयते

28.11.2017

Index:Yes/No
nvsri

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T.RAJA, J.

nvsri

To

1.The Director General of Police
Kamarajar Salai
Chennai-600 004

2.The Superintendent of Police
Kancheepuram District
Kancheepuram



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