

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.27924 of 2017

M.G.Gopa Kumar

... Petitioner

-Vs-

1. The Deputy Inspector General of Police (Estt.)
Directorate
Central Reserve Police Force
CGO Complex, Lodhi Road
New Delhi 110 003

2. The Inspector General of Police
Southern Sector
Central Reserve Police Force
Hyderabad
Andhra Pradesh 500 033

3. The Deputy Inspector General of Police
Recruitment Training Centre
Central Reserve Police Force
Avadi
Chennai 600 065

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to retain the petitioner as maintenance staff of swimming pool at RTC, C.R.P.F., Avadi, Chennai-65 by considering the petitioner's representation dated 21.06.2017.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.K.Srinivasamurthy
Central Government Standing Counsel

ORDER

This writ petition has been filed seeking issuance of a mandamus to the respondents to retain the petitioner as maintenance staff of swimming pool at RTC, C.R.P.F., Avadi, Chennai-65 on the basis of his representation dated 21.06.2017.

2. Learned counsel for the petitioner submitted that while the petitioner was working as pump operator/maintenance staff at

Marina Swimming Pool, Chennai, one Mr.V.V.Ponnappan approached the petitioner offering appointment in CRPF entirely for the maintenance of swimming pool at Avadi. Further, the petitioner was heavily persuaded by giving a promise that he would be appointed against the post of Cook, but his services would be entirely utilised for the upkeep and maintenance of the CRPF swimming pool and at no stage he would be compelled for performing the duties of Cook, since he has no experience in cooking food items. Accordingly, he joined the CRPF pursuant to the appointment order dated 5.2.92. In the meanwhile, after 25 years of service as maintenance staff of swimming pool at CRPF, Avadi, the petitioner has been transferred from GC,CRPF, Avadi to 19th Battalion, Orissa vide IGP Southern sector signal No.T.IX.10/2017-SS-Adm-II dated 12.5.2017 for the post of Cook. The learned counsel for the petitioner also submitted that the proceeding dated 12.5.2017 has also not been served on him, therefore, he is unable to challenge the same. Therefore, if the respondents are directed to retain the petitioner as one of the maintenance staff of the swimming pool either at Avadi or any other place, no prejudice would be caused to the respondents, he pleaded.

3. The learned Central Government Standing Counsel for the respondents submitted that the petitioner has been relieved from Avadi long time back so as to enable him to join the 19th Battalion at Orissa vide the IGP Southern sector signal No.T.IX.10/2017-SS-Adm-II dated 12.5.2017.

4. Since the petitioner has been relieved from GC,CRPF, Avadi to join the 19th Battalion at Orissa and the said order has not been challenged, the petitioner cannot come to this Court. If the petitioner is unaware of cooking work, it is always open to him to put in his papers and quit the job, giving opportunity to the eligible candidates who are in the queue to take over the said job. Therefore, the writ petition is dismissed. Consequently, W.M.P.No.29966 of 2017 is also dismissed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

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Central Reserve Police Force
CGO Complex, Lodhi Road
New Delhi 110 003

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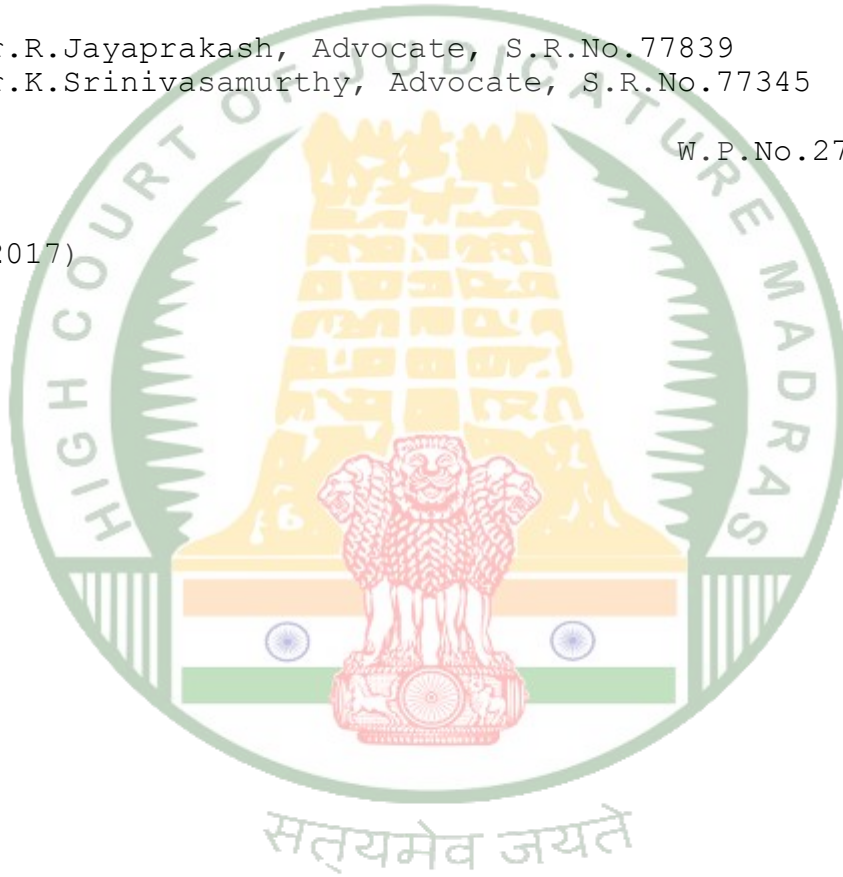
3. The Deputy Inspector General of Police
Recruitment Training Centre
Central Reserve Police Force
Avadi
Chennai 600 065

+1cc to Mr.R.Jayaprakash, Advocate, S.R.No.77839

+1cc to Mr.K.Srinivasamurthy, Advocate, S.R.No.77345

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