

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.29717 of 2017

V.V.Manikandan

..Petitioner

-vs-

1. The Central Reserve Police Force
represented by its Commandant
Office of the Commandant - 221 BN
Greater Noida
Uttar Pradesh 201 306
2. The Central Bureau of Investigation
Anti Corruption Branch
represented by its Superintendent
Shastri Bhavan
Chennai 600 006

..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the proceedings of the first respondent issued in the proceedings No.D.I.01/2017-221-EC-1 dated 03.10.2017 and quash the same and consequently direct the respondents to retain the petitioner in service with the second respondent.

For Petitioner:: Mr.Manoj Sreevalsan

ORDER

This writ petition has been filed challenging the consequential order dated 3.10.2017, once again rejecting the petitioner's request for extension of the period on deputation.

2. Learned counsel for the petitioner submitted that when the petitioner, citing family reason, has made a request for extension of the period on deputation from 1.7.2016 to 30.6.2018, the Deputy Inspector General of Police (Estt.), Central Reserve Police Force has refused to accept the said request by order dated 25.9.2017. Again citing better reason that his juniors were all given extension repeatedly, whereas the petitioner's request alone has been arbitrarily rejected, represented that he renewed his request for extension of the period on deputation. But the same has also been rejected by

the impugned order. Therefore, the impugned order is liable to be interfered with.

3. I do not find any merit in the writ petition. The reason is that the petitioner has been overstaying in CBI since 1.7.2016, therefore, the first respondent has taken a decision that he is not eligible for 4th and 5th year extension. On this score, as his request for deputation having been elapsed, rejected the same vide the order in letter No.D.I.07/2017-Estt (D/Cell)-DA-III dated 25.9.2017. The petitioner has no right to challenge the impugned refusal order declining to grant extension, because he is only on deputation. Therefore, the writ petition is dismissed. Consequently, W.M.P.Nos.32038 & 32039 of 2017 are also dismissed.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Commandant
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Office of the Commandant - 221 BN
Greater Noida
Uttar Pradesh 201 306
2. The Superintendent
Central Bureau of Investigation
Anti Corruption Branch
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+1 CC to Manoj Srevalsan , Advocate sr 82590.
+1 CC to Mr.K. Kumaraguru, Advocate sr 83203

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SP(05/12/2017)