

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.879 of 2017

1.B.Gajendran
2.P.Gopal
3.M.Chakrapani
4.N.Sundaram
5.V.Seethapathi (Deceased)
6.K.Chinappan
7.Kameshwari
8.Srinivasalu Appellants/Petitioners
(Appellants 7 and 8 are brought on record as LRs of the
deceased 5th appellant vide order dated 2.7.2018 in
CMP Nos.7650 to 7652/2018)

-vs-

1.The Senior Divisional Security,
Commissioner (RPF) Chennai Division,
5th Floor, NGO Annexe,
Southern Railway, Chennai - 600 003.
2.The Chief Security Commissioner/RPF
6th Floor, Moore Market Complex
Southern Railway, Chennai - 600 003.
3.The Senior Divisional Accounts Officer,
4th Floor, NGO Annexe,
Southern Railway, Chennai - 600 003.

..... Respondents/Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent
against the order passed in W.P No.15952 of 2014 dated
30.11.2016.

WP.15952/2014:

Writ Petition filed under Article 226 of the Constitution of
India, praying for the issuance of a Writ of Mandamus, directing
the first respondent to dispose of the representation dated
12.02.2014 on merits, within a time frame.

For Appellants : Ms.Lesi Saravanan

For Respondents: Mr.P.T.Ramkumar
Standing Counsel

J U D G M E N T

[Judgment of the Court was delivered by
K.K.SASIDHARAN,J.]

The writ petition filed by the appellants for issuance of a Writ of Mandamus was dismissed by the learned single Judge on the ground that Thiru.Arjunan, whose case was pointed out for stepping up of pay was promoted to the rank of Head Constable from the rank of Constable with effect from 30 April 2003 and as such, the said case cannot be a precedent for considering the request made by them. Feeling aggrieved by the said order, the appellants are before this Court.

2. The learned counsel for the appellants would submit that the appellants would be satisfied, in case, a direction is given to dispose of the representation already made or to submit a fresh representation highlighting the material facts.

3. In view of the said submission, we are of the view that appropriate direction should be issued to the Railways.

4. We give liberty to the appellants to submit a comprehensive representation to the first respondent. In case, any such representation is made within a period of four weeks from the date of receipt of a copy of this judgment, the same shall be considered and disposed of by the first respondent on merits and in accordance with law, as expeditiously as possible and in any case, within a period of four weeks thereafter.

5. The intra court appeal is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Senior Divisional Security,
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Southern Railway, Chennai - 600 003.

3.The Senior Divisional Accounts Officer,
4th Floor, NGO Annexe,
Southern Railway, Chennai - 600 003.

+1cc to Mrs.Lesi Saravanan, Advocate sr.no.53478

+1cc to Mr.P.T.Ramkumar, Advocate sr.no.52363

W.A.No.879 of 2017

br(co)
nr 31/08/2018



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