

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.01.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.1205 of 2018

V.Ganesan

...Petitioner

Versus

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

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

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to fix the seniority on par with the 1st batch based on the marks secured by the petitioner in the Police Training College as per Rules by considering the representation of the petitioner dated 30.08.2017 within a reasonable time.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.V.Kadhirvelu
Special Government Pleader

O R D E R

The Writ Petition is filed seeking to issue a Writ of Mandamus, directing the respondents 1 and 2 to fix the seniority of the petitioner on par with the 1st batch, based on the marks secured by him in the Police Training College as per Rules by considering his representation dated 30.08.2017 within a reasonable time fixed by this Court.

2. Learned Counsel for the petitioner submitted that the petitioner was appointed as a directly recruited Sub-Inspector of Police in the year 1997-98. Subsequently, he was sent for training in the second batch on 22.5.2000 despite the fact that he has secured higher marks. Further, the selection of the Sub-Inspector of Police for the year 1997-98 was made on range/zonewise basis and 50% of top most rank holders in each

zone were sent for training in the 1st batch on 16.5.1999 and the remaining 50% were sent for training on 22.5.2000 due to want of accommodation in the Police Training College. Without even furnishing the marks particulars of the 2nd batch, while furnishing the mark particulars to the 1st batch alone, the seniority has not been properly fixed. Therefore, the petitioner and others obtaining particulars under RTI Act would come to know that the Government also has issued G.O.(Ms.) No.93, Home (Police-3) Department, dated 6.2.2015 in favour of Tvl.G.Manivannan and S.Balamurali Sundaram and G.O.(Ms.) No.684, Home (Police-3) Department dated 3.10.2015 issued in favour of Tvl.Muthumalai and 8 others and yet another Government Order in G.O.(Ms.)No.116, Home (Police-3) Department, dated 6.2.2017 fixing the seniority of those persons on par with the 1st batch which was denied to the petitioner. Therefore, a representation dated 30.08.2017 was made praying for revising his seniority. But the same has not been considered. Therefore, the petitioner has been advised to come to this Court, it is pleaded.

3. Learned Special Government Pleader appearing for the respondents taking note of the G.O.(Ms.) No.93, Home (Police-3) Department, dated 6.2.2015, G.O.(Ms.) No.684, Home (Police-3) Department dated 3.10.2015 and G.O.(Ms.)No.116, Home (Police-3) Department, dated 6.2.2017 respectively sought for considerable time to consider the case of the petitioner in the light of the above Government Orders.

4. Placing on record the request of the learned Special Government Pleader for the respondents, 4 weeks time is granted to consider the representation of the petitioner dated 30.08.2017 for fixing his seniority on par with the 1st batch based on the marks secured by him in the Police Training College and also in the light of the G.O.(Ms.) No.93, Home (Police-3) Department, dated 6.2.2015, G.O.(Ms.) No.684, Home (Police-3) Department dated 3.10.2015 and G.O.(Ms.)No.116, Home (Police-3) Department, dated 6.2.2017 respectively.

5. The Writ Petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

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To

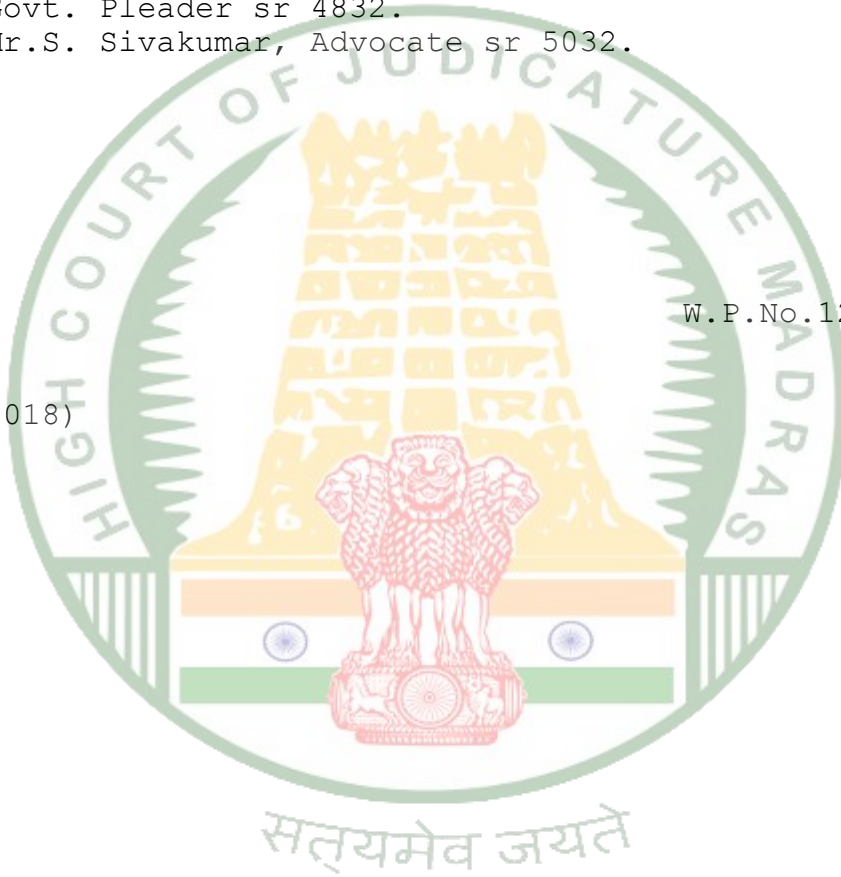
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+1 CC to Govt. Pleader sr 4832.

+1 CC to Mr.S. Sivakumar, Advocate sr 5032.

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NRJK (CO)
SP (08/02/2018)



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