

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.06.2018

Coram

The Hon'ble Mr. Justice Satrughana Pujahari

Writ Petition No.15018 of 2018

and

W.M.P.Nos.17788 to 17790 of 2018

1. S. Jayakumar
2. L. Paul Pandian
3. P. Balaiah
4. D. Rajaswari Karthippan
5. L. Karthikeyan
6. A. Jhonson Jayakumar
7. K. Prabakar
8. P. Chithiraivasan
9. P. T. Balasubramaniam
10. D. Arun Kumar
11. V. K. Ramesh
12. B. Gomathi
13. S. Rathinavelu
14. T. Shaju Thomas
15. N. Chidhambaram
16. M. Thiyagarajan
17. K. George Muller
18. A. P. Ajith Ashok
19. N. Palani
20. S. Balachandran
21. Maria Joseph
22. V. Ramesh

सत्यमेव जयते

...Petitioners

Vs.

1. The Union of India,
Ministry of Railways,
rep. by Director General RPF
Rail Bhavan, New Delhi.
2. The Chief Security Commissioner,
Office of the Railway Protection Force,
Moor Market Complex,
Southern Railway, Chennai - 3.

3. The Divisional Security Commissioner,
Office of the Railway Protection Force,
Chennai Division, NGO Annexure Building V Floor,
Park Town, Chennai - 600 003. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari Mandamus to call for records of the respondents in connection with the impugned order passed by the first respondent, in Employment Notice No.SI/RPF-02/2018, dated 01.06.2018, and to quash the same insofar as the Para No.2.0 'and Group A notifying 29 vacancies in south zone alone is concerned and further to direct the respondents to promote the petitioner as Sub-Inspector of Railway Protection Force.

For Petitioner :Mr.G.Sankaran
for M/s. A.Tamilrajan

ORDER

Heard Mr.G.Sankaran, the learned counsel appearing for the petitioner.

2. The grievance of the petitioner, in this case is that, though he is entitled to promotion to the post of Sub-Inspector in the respondent/Railway Protection Force (RPF) which is required to be filled-up by promotion only, the first respondent by the impugned notification, has proposed to fill-up the said post by Direct Recruitment. Feeling aggrieved, the petitioner seeks for issuance of a writ of certiorari to quash such notification with a consequential prayer for mandamus, directing the respondents to promote the petitioner to the aforesaid post.

3. The grievance of the petitioner appears to be fallacious, inasmuch as, the same is contrary to Rule 45 (i) of the Railway Protection Force Rules, which specifically mandates that, Direct recruitment to the Force shall be made at the level of Constables, Sub-Inspectors and Assistant Commandants and all other posts shall be filled in by promotion or through a limited departmental competition from amongst the eligible enrolled members of the Force or by taking personnel on deputation in accordance with these rules.

4. In view of the said mandate on the aforesaid Rules, this Court is of the firm view that the petitioner has no case for quashing the impugned order, and as such, this Court is not inclined to entertain the Writ Petition. Therefore, the Writ Petition, being devoid of merits stands dismissed at the stage of admission. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

sd

To

1. The Director General RPF
Ministry of Railways,
Union of India,
Rail Bhavan, New Delhi.
2. The Chief Security Commissioner,
Office of the Railway Protection Force,
Moor Market Complex,
Southern Railway, Chennai - 3.
3. The Divisional Security Commissioner,
Office of the Railway Protection Force,
Chennai Division, NGO Annexure Building V Floor,
Park Town, Chennai - 600 003.

+lcc to Mr.A.Tamil Rajan, Advocate Sr.38986

+lcc to Mr.P.T.Ramkumar, Advocate Sr.39188

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sv[co]
srg 10/08/2018