

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 02.08.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.19872 of 2018

R.Paramasivam

... Petitioner

Vs

1. The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai-4

2. The Superintendent of Police,
District Police Officer,
Cuddalore District

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to include the name of the petitioner in the select list for the year 1992 - 93 on par with his batch mates, for the purpose of seniority and to pay and other allowances, from the date of appointment of the batch mates, by considering the petitioner's representation dated 16.06.2016, in the light of orders of this Court made in W.P.No.41271 of 2006 to 41273 of 2006, dated 25.02.2011.

For Petitioner : Mr.V.Ravikkumar

For Respondents : Mr.V.Kadhirvelu,
Special Government Pleader

ORDER

Mr.V.Kadhirvelu, learned Special Government Pleader takes notice on behalf of the respondents.

2. The case of the writ petitioner is that though he was selected for appointment in the year 1992-1993, but his appointment was made only in the year 1997. However, similarly situated persons appointed along with the petitioner though have been given seniority and other benefit accruing to them taking them as recruitee of the year 1992-1993 in pursuance to the direction given by this Court in W.P.Nos.41271 to 41273 on 25.02.2011. The petitioner as such made representation dated

16.06.2016 to the respondents ventilating his grievance of non extension of such benefit to him with a prayer to extend such service benefit but no decision on the same has yet been taken. Hence, the petitioner came to file the writ petition seeking a direction to the respondents to dispose of such representation in the light of the orders of this Court made in W.P.No.41271 of 2006 to 41273 of 2006, dated 25.02.2011.

3. The learned counsel appearing for the petitioner would submit that since the first respondent is guilty of inaction on consideration of the representation of the petitioner, though similarly situated persons have been extended the benefit in view of the orders passed in the writ petitions as stated above, the first respondent be directed to dispose of his representation in the light of the decision rendered by this Court in the aforesaid cases in respect of similarly situated persons.

4. Mr.V.Kadhirvelu, learned Special Government Pleader appearing for the respondents would submit that the first respondent shall dispose of such representation if the same is pending in accordance with law but there should not be no fetter be put in applying his mind on merit of such representation.

5. Considering the aforesaid facts and submissions made, this Court is of the view that no useful purpose is going to be served by keeping the writ petition pending seeking reply affidavit of the respondents and as such this Court, without expressing any opinion on merits of the representation made, disposes of this writ petition with the direction to the first respondent to dispose of such representation addressing the applicability of the orders passed in the aforesaid writ petitions, if there is no other legal impediment in this regard, but the same must be in accordance with law and such decision must be taken within eight weeks from the date of receipt of a copy of this Order.

6. With the aforesaid order, this writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai-4.
2. The Superintendent of Police,
District Police Officer,
Cuddalore District.

+1cc to Mr.V.Ravikumar, Advocate Sr.52791
+1cc to the Government Pleader Sr.55061

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srg 10/09/2018



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