

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.07.2018
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25255 of 2006
And
M.P.No.1 of 2008

1.C.Prince Jothi Laurence
2.A.Francis
3.T.Rajendra Prasad
4.M.Dennis
5.C.Selvaraj
6.M.Krishnan
7.T.Francis
8.P.Arumugam

... Petitioners

Vs.

1.The State of Tamilnadu
rep. by The Secretary to Govt.,
Home (Police) Department,
Secretariat,
Chennai - 600 009.
2.The Director General of Police,
Chennai.
3.The Inspector General of Police,
Kanyakumari District.
4.The Deputy Inspector General of Police,
Kanyakumari District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to fix the pay on par with the petitioners' junior Daniel, H.C.863, Vijayakumar, H.C.924 and Sri Ranganathan, H.C.732 and consequently direct the respondents to pay the arrears amount immediately.

For Petitioners: Mr.K.Sanjay

For Respondents: Mr.K.Ravi Kumar

Additional Government Pleader

O R D E R

The petitioners have filed this petition seeking issuance of Writ of Mandamus directing the respondents to fix the pay on par

with their juniors and to consequently direct the respondents to pay the arrears amount immediately.

2.The writ petition lies in a narrow compass whether the petitioners can claim for fixation of pay on par with their juniors. The juniors referred by the petitioners were appointed as Tamil Nadu Special Police Battalion Police Constables whereas, the petitioners were appointed as District Police Constables. Tamil Nadu Special Police Battalion and District Police are completely different units and the seniority in the respective units are also completely different. A person in the Tamil Nadu Special Police Battalion are entitled for promotion immediately after completion of a specific period. Hence, the petitioners cannot be compared with the juniors referred by them. Further in view of Paragraph nos.5 and 6 of the counter affidavit filed by the respondents, I am of the view that the prayer sought for by the petitioners is mis-conceived.

3.Accordingly, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Govt.,
Home (Police) Department,
Secretariat,
Chennai - 600 009.

2.The Director General of Police, Chennai.

3.The Inspector General of Police, Kanyakumari District.

4.The Deputy Inspector General of Police,
Kanyakumari District.

+1cc to Government Pleader SR.NO.48084

KJI (CO)
sm:10.8.2018

W.P.No.25255 of 2006
And
M.P.No.1 of 2008