



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 26.02.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE R.THARANI

W.A. (MD) .No.186 of 2018
and
C.M.P. (MD) .No.998 of 2018

S.Chandra Sekaran .. Appellant /Petitioner/Petitioner

Vs.

- 1.The Union of India,
Rep by its Secretary to Government,
Ministry of Home Affairs,
New Delhi.
- 2.The Director General,
Central Industrial Security Force,
Block No.13, C.G.O Complex,
Lodhi Road, New Delhi-110 003.
- 3.The Inspector General,
Central Industrial Security Force,
Chennai Port Trust,
Near War Memorial,
Chennai-600 009.
- 4.The Deputy Inspector General (SZ),
Central Industrial Security Force,
South Zone Head Quarters,
Rajaji Bhavan,
Besant Nagar,
Chennai-600 090.
- 5.The Senior Commandant,
Central Industrial Security Force Unit,
VOCPT, Tuticorin.
- 6.The Deputy Commandant,
Central Industrial Security Force Unit,
VOCPT, Tuticorin. ...Respondents /Respondents/Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act,
<https://hcservices.ecourts.gov.in/hcservices/>
against the order passed by this Court in W.M.P.(MD).No.7463 of 2016
in W.P.(MD).No.9403 of 2016, dated 16.11.2017.

Prayer in WMP(MD). 7463/ 2016 :

To pass an Ad-Interim Injunction restraining the respondents from taking any steps in pursuance of the order passed by the 5th respondent in his E-21013/VOCPT/CISF/DOC/2016/1951 dated 16.05.2016 and the order No.F-42013/CISF/VOCP T(T) Accts/Bank/2016/517, dated 18.05.2016 passed by the 6th respondent pending disposal of the above Writ Petition.

Prayer in WP(MD). 9403/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the order passed by the 5th respondent in his E-21013/VOCPT/CISF/DOC/2016/1951 dated 16.05.2016 and the order No.F-42013/CISF/VOCP T(T)Accts/Bank/2016/517, dated 18.05.2016 passed by the 6th respondent and quash the same and to direct the respondents to retain the petitioner as HEAD CONSTABLE at Tuticorin, VOCPT, till the retirement.

For Appellant : Mr.M.MD.Ibrahim Ali

For Respondents : Mr.K.R.Lakshmanan

JUDGMENT

[Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mr.M.MD.Ibrahim Ali, learned counsel appearing for the appellant and Mr.K.R.Lakshmanan, learned counsel appearing for the respondents.

2.This appeal by the writ petitioner is against the order dated 16.11.2017 vacating the order of interim stay granted in W.M.P.(MD). No.7463 of 2016 in W.P.(MD).No.9403 of 2016.

3.We perused the reasons assigned by the Writ Court for vacating the interim order and we find that the reasons are just and proper. Furthermore, if the interim order is granted, it would virtually amount to allowing the writ petition and granting the main relief. Therefore, we dismiss the writ appeal and confirm the order passed by the Writ Court. We will direct the Registry to list the writ petition before the appropriate Bench, during 3rd week of June 2018. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar



To

1.The Secretary to Government,
Union of India,
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New Delhi.

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5.The Senior Commandant,
Central Industrial Security Force Unit,
VOCPT, Tuticorin.

6.The Deputy Commandant,
Central Industrial Security Force Unit,
VOCPT, Tuticorin.

+1CC to Mr.M.Mohamed Ibrahim Ali, Advocate, SR.No. 51386

+1CC to Mr.K.R.Laxman, Advocate, SR.No. 51790

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AM/SKN RSK/SAR 4/14.03.2018/3P/9C