

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2019

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.A.No. 1226 of 2011

and

M.P.No.1 of 2011

1. T. Panneer Selvam
2. S. Sudhakar
3. S. Manimaran

.... Appellants

Vs

1. Deputy Inspector General of Police,
Armed Reserve Police,
Kilpauk, Chennai - 10
2. The Commandant,
Tamil Nadu Special Police,
13th Battalion, Veerapuram,
Chennai - 55.
3. The Commandant,
Tamil Nadu Special Police,
2nd Battalion, Avadi,
Chennai - 54.
4. The Commandant,
Tamil Nadu Special Police,
3rd Battalion, Veerapuram,
Chennai - 55.
5. The Commandant,
Tamil Nadu Special Police,
15th Battalion,
Chennai - 48.

6. V. Suresh Kumar

7. Muthu

... Respondents

Appeal filed under Clause 15 of the Letters Patent against the order dated 07.06.2011 passed in W.P.No.27783 of 2010.

Petition filed Under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, to Call for the records relating to the impugned order of the 2nd respondent issued in his proceedings Na.Ka.No. C2/242/7391/ 13th Battalion/2010 dated 25.10.2010 based on OC.No.436/2010 and the consequential order passed by the 4th respondent in his proceedings Na.Ka.No. C2/12019/2010 dated 18.11.2010 based on Office Order No.526/2010 and Na.Ka.No. C2/13730/2010 dated 19.11.2010 based on the Office Order No.528/2010 in favour of the 6th and 7th respondents respectively and quash the same and direct the respondents to permit the petitioners to continue in possession / occupying their respective quarters as per the allotment order dated 11.10.2010 issued by the 2nd respondent in his proceedings No. Na.Ka.No. C2/

For Appellants : Mr.V.Krishnamurthy

For Respondents : Ms. A. Sri Jayanthi,
Spl. Govt. Pleader for R1 to R5,
Mr. R. Thanjan for R6 and R7

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This writ appeal is directed against the order dated 07.06.2011 passed in W.P.No.27783 of 2010, whereby the learned single Judge dismissed the writ petition.

2.When the matter is taken up for hearing, learned counsel appearing for the parties would submit that of the three appellants, two of them have already vacated the quarters pursuant to the orders of this Court. The second appellant viz., S.Sudhakar has got promoted as Inspector of Police and he is in occupation of the quarters.

3.In such view of the matter, we deem it appropriate to dispose of this writ appeal, giving liberty to the second appellant to make a fresh representation to the concerned authority for continuing the occupation of the quarters. The said representation shall be considered within a period of four weeks from the date of receipt of the same. Till such consideration of the second appellant's representation within the time as stipulated above, the occupation of the quarters by

the second appellant shall not be disturbed. No costs.
Consequently, connected miscellaneous petition is closed.

mmi

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Inspector General of Police,
Armed Reserve Police,
Kilpauk, Chennai - 10.
2. The Commandant,
Tamil Nadu Special Police,
13th Battalion, Veerapuram,
Chennai - 55.
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3rd Battalion, Veerapuram,
Chennai - 55.
5. The Commandant,
Tamil Nadu Special Police,
15th Battalion,
Chennai - 55.

+1cc to Mr.V.Krishnamurthy, Advocate, S.R.No.5888
+1cc to the Government Pleader, S.R.No.6495

W.A.No.1226 of 2011

kak(07/03/2019)