

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27924 of 2019

R.Jayagajendran

..Petitioner

vs

1.State of Tamil Nadu
Rep. by the Secretary to Government
Home (Police III) Department
Fort St. George, Chennai-9.

2.The Director General of Police
Office of DGP
Post Box No.601
Dr.Radhakrishnan Salai
Mylapore, Chennai-600 004.

3.The Superintendent of Police
Tamil Nadu Police Academy
Oonamancheri, Vandalur
Chennai-127.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the representation of the petitioner dated 31.05.2019 within the time frame.

For Petitioner : Mr.Edwin Prabakar A.

For Respondents : Ms.M.Lalitha
Government Advocate

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the representation of the petitioner dated 31.05.2019 within the time frame.

2. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner entered into the Police Department as Constable in the year 1994. Thereafter, he was promoted as Head Constable on 16.03.2009. Though the petitioner participated in the direct recruitment of Sub-Inspectors during 1997-1998, he was not selected. Unsuccessful candidates approached the Tamil Nadu Administrative Tribunal and the Tribunal vide order dated 19.07.2001 held that the State is one unit and there should be one cut off for each category. The said order was confirmed in appeal by the Division Bench of this Court as well as the Hon'ble Apex Court. Based on the order of the Hon'ble Apex Court dated 07.08.2014, the petitioner has filed W.P.No.16735 of 2014 and this Court by order dated 27.01.2016 allowed the writ petition. As against the same, the respondents herein preferred W.A.No.322 of 2017 and the Division Bench of this Court by order dated 02.08.2017 directed the Government to consider the petitioner's case for issuance of appointment orders. Accordingly, the Government vide G.O.(Ms) No.760, Home (Police.3), Department dated 16.10.2017 appointed the petitioner in the post of Sub-Inspector of Police and pursuant to which, he was appointed on 23.04.2018. However, there was an anomaly in fixation of pay. The petitioner is entitled to fixation of seniority along with 1997-1998 batch Sub-Inspectors. Therefore, the petitioner has made a representation to the respondents on 31.05.2019. However, the petitioner's representation was not considered by the respondents till date. Hence this writ petition.

4. Learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representation and pass appropriate orders within a reasonable time.

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the 1st respondent to consider the petitioner's representation dated 31.05.2019 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible.

6. The writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
State of Tamil Nadu
Home (Police III) Department
Fort St. George, Chennai-9.

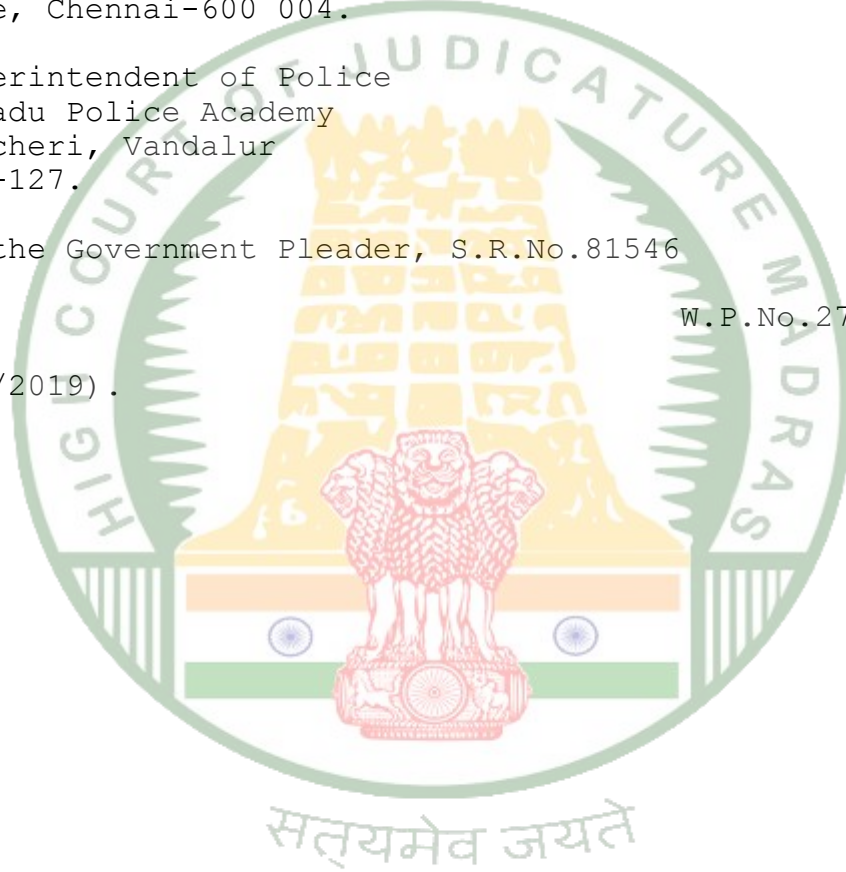
2.The Director General of Police
Office of DGP
Post Box No.601
Dr.Radhakrishnan Salai
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3.The Superintendent of Police
Tamil Nadu Police Academy
Oonamancheri, Vandalur
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+1 cc to the Government Pleader, S.R.No.81546

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BR(CO)
SSM(01/11/2019) .



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