

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05-04-2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.18882, 18894, 18895, 18877, 19505, 19649, 19710, 19711,
19712, 19713, 19714, 19715 and 20047 of 2018

And

W.M.P.Nos.22269, 22281, 22264, 22283, 22955, 23082, 23139,
23142, 24194, 23148, 23151, 23154 and 23512 of 2018

1 M.BAKYALAKSHMI ... PETITIONER in WP No.18882 of 2018
1 R.MAHESWARI ... PETITIONER in WP No.18894 of 2018
1 V.BHARATHI ... PETITIONER in WP No.18895 of 2018
1 P.VANITHA DEVI ... PETITIONER in WP No.18877 of 2018
1 M/S.M.AADHI LAKSHMI ... PETITIONER in WP No.19505 of 2018
1 FEMILA SHIRLEY D.R.
2 K.NIRMALA
3 HEMAVATHI
4 D.GANDHIMATHI
5 PRIYA MOHAN
6 GOMATHI
7 R.DEVI
8 B.SUJATHA D/O.M.BALARAMAN
9 M.PRIYA W/O.S.MUGUNDHAN
10 K.VASANTHI D/O.V.K.KOTHANDARAM
11 M.ALLIRANI
12 R.GOVARTHAMBIKAI

13 A.YAMUNA
14 S.PRABHAVATHI
15 S.LATHA
16 G.MYTHILI
17 J.APARNA

... 1st TO 17th PETITIONERS in WP No.19649 of 2018

1 K.ROHINI
2 S. THAMILSELVI
3 P.SARASWATHI
4 C. SAVITHA
5 J.JAIHIND DEVI
6 M.PRIYA
7 M.VALARMATHI
8 C. TAMILARASI
9 V. SANTHANA MARI
10 V.JOTHIMANI
11 A.VIMAL

...1st to 11th PETITIONERS in WP No.19710 of 2018

1 P.MANGALALAKSHMI
2 THENMOZHI
3 K.UMAMAHESWARI
4 M.VASANTHI
5 R.VALARMATHI
6 K.BHUVANESWARI

7 S.SATHYAVANI

8 M.GOMATHY

9 P.MAHALAKSHMI

10 M.MOHANA

11 K.VANMATHI

12 M.SHAGIN

13 N.NIRMALA

14 M.JOSELIN ARULSELVI

15 B.RENUGADEVI

16 J.VIJI

....1st to 16th PETITIONERS in WP No.19711 of 2018

1 P.ANTHONY VIJITHRA

2 T.GIRIJARANI

3 V.MADESHWARI

4 S.ANNAM

5 P.SATHYABAMA

6 P.THILAGAVATHI

7 S.TAMILSELVI

8 P.SARASWATHI

9 C.SAVITHA

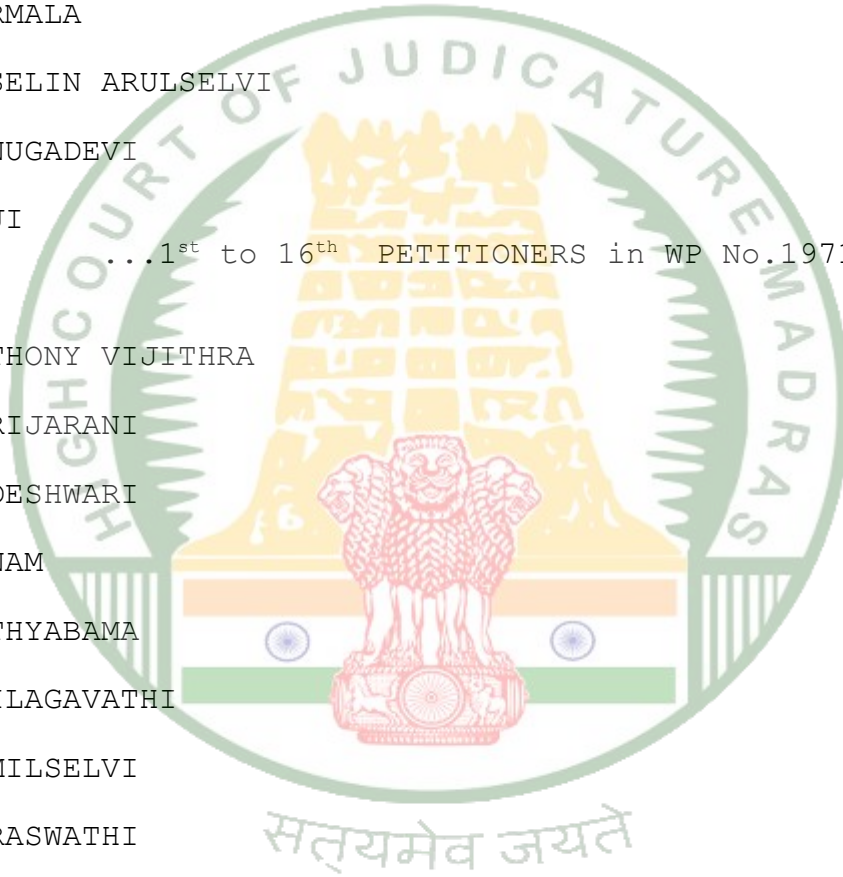
10 J.JAIHIND DEVI

11 P.VENTHAPRAVI

12 S.KAVITHA

13 V.JOTHIMANI

14 P.VIJAYALAKSHMI



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15 S.KOMALAVALLI
...1st to 15th PETITIONERS in WP No.19712 of 2018

1 V.VASANTHI

2 P.BHUVANESHWARI

3 P.SUMATHI

4 K.KRISHNALEELA

5 C.SAMPURANAM

6 J.SANGEETHA

7 K.KANTHIMATHI

8 V.SANTHI

9 M.MENAKA

10 N.MALARVIZHI

11 A.GEETHA

12 K.SRIPRIYA

13 J.ANITHA

14 N.RAJAKUMARI

15 M.JEYAVANITHA

16 R.INDIRA

...1st to 16th PETITIONERS in WP No.19713 of 2018

1 P.MOHANAVALI

2 M.SUMITHRA

3 A.SUBA

4 A.CHITRADEVI

5 M.KALAIARASI

6 N.SUMATHRA

7 V.SANGEETHA

8 K.S.ANITHA
9 A.NANDHINI
10 R.AMUTHA
11 KAVITHA
12 T.DEEPA
13 S.PARVIN BANU
14 P.AMUDHA

...1st 14th PETITIONERS in WP No.19714 of 2018

1 S.SAMUNDEESWARI
2 MOHANA LAKSHMI
3 D.BHARATHI
4 V. ALAGAMMAI
5 V. TAMILSELVI
6 R.SIVASANKARI
7 K.SARASWATHI
8 M.MALAR
9 PADMASRI BABI
10 R. NAGALAKSHMI
11 S.AMUTHA
12 P.SUBBULAKSHMI

...1st to 12th PETITIONERS in WP No.19715 of 2018

1 A.KAMAR NISHA (CADET NO.355)
... PETITIONER in WP No.20047 of 2018

vs

1 THE STATE OF TAMIL NADU
REP. BY ITS PRINCIPAL SECRETARY TO
GOVERNMENT HOME (POLICE) DEPARTMENT
SECRETARIAT FORT ST. GEORGE
CHENNAI - 600009

- 2 THE DIRECTOR GENERAL OF POLICE KAMARAJAR SALAI MYLAPORE
CHENNAI - 600004
- 3 THE ADDITIONAL DIRECTOR
GENERAL OF POLICE (ADMIN) KAMARAJAR SALAI
MYLAPORE CHENNAI - 600004
- 4 D.SUBASHINI ...1 to 3 Respondents in all WPs
...4th Respondent in W.P.No.20047 of 2018
- 5 V.SHERLIN ...4th Respondent in W.P.18882/18, 18894/18,
18895/18, 18877/18
...5th Respondent in W.P.19505 of 2018
- 6 THE DIRECTOR GENERAL OF POLICE (TRAINING)
KAMARAJAR SALAI MYLAPORE
CHENNAI - 4 ...4th Respondent in W.P.No.19505/18,
19649/18, 19710/18, 19711/18,
19712/18, 19713/18,
19714/18, 19715/18
- 7 THE CHAIRMAN TMISRB
EGMORE CHENNAI 600 007. ...5th Respondent in
W.P.No.19649/18, 19712/18,
19713/18, 19714/18
- 8 V. SREEDEVI ...5th Respondent in
W.P.No.18882/18, 18895/18 & 18877/18 and
...6th Respondent in W.P.No.19505/18
- 9 V.SHERLIN
V. SREEDEVI ...5th and 6th Respondent in
W.P.No.19710/18, 19711/18, 19715/18
- 10 S.SAALINI
K.S.JAYACHITRA ...6th and 7th Respondent in
W.P.No.19649/18
- 11 S.SAALINI
.... 6th Respondent in W.P.18882/18,
18895/18 & 18877/18 and
...7th Respondent in W.P.No.19505/18

12 K.S. NAGALAKSHMI

K.BINDHU ...6th and 7th Respondent in W.P.No.19713/18

13 R.P. SREEKALA

A.INDIRA ...6th and 7th Respondent in W.P.No.19712/18

14 C. THANAMMAL

K.BINDHU ...6th and 7th Respondent in
W.P.No.19714 of 2018

15 K.S.JAYACHITRA

...7th Respondent in W.P.18882/18, 18895,
18877 and

...8th Respondent in W.P.No.19505/18

16 R.P.SREEKALA

...8th Respondent in W.P.No.18882/18,
18895/18 and

...9th Respondent in W.P.19505/18

17 C.THANAMMAL

K.S.NAGALAKSHMI

K.BINDU

R.P.SREEKALA

A.INDIRA

R.PREMA

V.SREEDEVI

K.S.JAYACHITRA ...R5 to R12 IN W.P.NO.18894/18 AND
W.P.20047/18 AND

... R8 TO R14 IN W.P.NO.19649/18

... R7 TO R13 IN W.P.NO.19710/2018

... R7 TO R13 IN W.P.19711/18 AND
19715/18

R5 to R12 impleaded as per order

dated 05.04.2019 made in WMP 30682/18 IN W.P.18894/18
and WMP 30780/18 in WP No.20047/18

R8 to R14 impleaded as per

order dated 05.4.2019 made in WMP 30683/18 in
W.P.No.19649/18

R7 to R13 impleaded as per order dated 5.4.19 in WMP
30684/18 in W.P.19710/18,

WMP No.30745/18 in W.P.19711/18 and WMP 30749 of 2018 in
W.P.19715 of 18

18 C.THANAMMAL

K.S.NAGALAKSHMI

K.BINDU

R.P.SREEKALA

A.INDIA ...R8 to R12 in W.P.No.18877/18
(R8 TO 12 ARE IMPLD.AS PER ORDER
DT.02.8.18 IN WMP.2326/18 IN
W.P.18877/18)

19 C.THANAMMAL

K.S.NAGALAKSHMI

K.BINDU

R.PREMA

K.S.JAYACHITRA

V.SREEDIVI ...R8 to R13 in WP 19712 of 2018

R8 to R13 impleaded as per order
dated 05.04.2019 made in WMP.No.30746/18
in W.P.No.19712/18

20 C.THANAMMAL

R.PREMA

K.S.JAYACHITRA

V.SREEDEVI

R.P.SREEKALA

A.INDIRA ... R8 to R13 in W.P.No.19713 of 18

R8 to R13 impleaded as per order
dated 05/4/2019 in WMP No.30747/18
in W.P.No.19713/18

21 R.PREMA

K.S.JAYACHITRA

V.SREEDEVI

R.P.SREEKALA

A.INDIRA

K.S.NAGALAKSHMI ...R8 to R13 in WP No.19714 of 2018

R8 to R13 impleaded as per order dated 05/04/2019
made in WMP 30748/18 in WP No.19714/18

22 A.INDIRA ...9th Respondent in W.P.No.18882/18 and
...10th Respondent in W.P.19505/18

23 C.THANAMMAL
...10th Respondent in W.P.No.18882/18,
18895/18 and
...11th Respondent in W.P.19505/18

24 K.S.NAGALAKSHMI
...11th Respondent in w.P.18882/18, and
18895/18
...12th Respondent in W.P.No.19505/18

25 R.PREMA
...12th Respondent in W.P.No.18882/18 and
...14th Respondent in W.P.19505/18

R10 TO 12 ARE IMPLD.AS PER
ORDER DT.02.08.18 IN WMP.23256/18 IN
WP.18882/18

12 K.BINDHU ...12th Respondent in W.P.No.18895/18
...13th Respondent in W.P.No.19505/18

13 R.PREMA ...13th Respondent in W.P.No.18895/18

14 MAHALAKSHMI

15 V.ROSELINE MARY

16 MUTHULAKSHMI
...14th to 16th Respondent in W.P.No.
18895 of 2018

R14 TO 16 ARE IMPLD.AS PER
ORDER DT.02/08/18 IN WMP.23595/18 IN
WP.18895/18

Prayer:These Writ Petitions are filed under Article 226 of the
Constitution of India praying to issue Certiorarified Mandamus
to call for the records relating to the impugned proceedings
issued by the 3rd respondent in Rc. No. 168187/ Rect. II (1)/

2016 dated 19.07.2018 and to quash the same and consequently directing the respondents to draw the seniority list in the post of Sub Inspector of Police Category - I by taking into account of the marks secured by the individual candidates in the Training, following year of appointment and final examination conducted by Police Training College, in accordance with law.

For Petitioner in WP 18882/18: Mr.P.Ganesan for Mr.R.Sagadevan

For Petitioner in WPs 18894,
19715/18 : Mr.Balanharidas

For Petitioner in WPs 18895,
19712/18 : Mr.G.Sankaran

For Petitioner in WPs 18877,
19711/18 : Mr.R.Muniyapparaj

For Petitioner in WP 19713/18: Mr.M.Jagajeevan

For Petitioner in WP 19710/18: Mr.M.Baskaran

For Petitioner in WP 19714/18: Mr.T.Arul

For Petitioner in WP 19649/18: Mr.R.Sagadevan

For Petitioner in WP 19505/18: Mr.K.Mohanamurali

For Petitioner in WP 20047/18: Mr.K.Elango

For R-1to3 in WPs 18882, 18894,
18895, 18877, 20047/18, 1to4
in WPs 19710, 1to5 in WP 19712, 19713,
19714/18, 1to5 in WP 19649/18 : Mr.V.Kadhirvelu,
Special Government Pleader.

सत्यमेव जयते

RR1 to 4 in W.P.No.19505 of 2018, 19711 of 18, 19715/18

For R-5, 7 to12 in WP 18882/18,
5to 12 in WP 18894/18, 5, 7to13
in WP 18895/18, 7, 8to13
in WPs 19711, 19715/18,
7 to 13 in WP 19710, 8 to
14 in WP 19649/18, 5to 12
in WP 20047/18 : Mr.K.Sampathkumar
5, 7, 8, 10 to 13 in WP 18877 of 2018,
8 to 13 in WP No.19712/18, 19713/18, 19714/18

For R-9 in WP 18877, R-6

WP 19649, R-7 in WP 19505/18

: Mr.R.Ramesh

For Respondents-14 to 16

in WP 18895/18 : Mr.K.Venkata Ramani, Senior

Counsel for Mr.M.Muthappan

C O M M O N O R D E R

The list of seniority communicated with reference to the recruitment of Women Sub-Inspectors of Police for the year 2001-2002, is under challenge in these writ petitions.

2. The learned counsel, appearing on behalf of the writ petitioners, made a submission by stating that the seniority list was not prepared in consonance with Rule 25 of the Special Rules for Tamil Nadu Police Subordinate Services. The objections submitted in this regard also had not been considered with reference to the spirit of the provisions.

3. The grievances particularly contended by the writ petitioners are that the juniors, who were appointed later to the writ petitioners, were overlooked in the matter of granting promotions to the post of Inspector of Police. In other words, it is contended that the persons, who were appointed later than the writ petitioners were promoted to the post of Inspector of Police.

4. In this regard, the learned Senior Counsel, appearing on behalf of the contesting respondents as well as the learned Special Government Pleader appearing on behalf of the Department, states that the seniority list had already been prepared with reference to the Rules in force and they have not deviated from the Rules in force.

5. The seniority as per the Rules to be followed are as under:-

(i) In respect of the same recruitment/selection, all the selected candidates, who were appointed to the post of Sub-Inspectors are to be treated as one Unit for the purpose of fixation of seniority. The delay caused, if any, on administrative reasons and for providing training would not affect the prospects of the candidates, who were selected in the same selection;

(ii) The selection list already maintained by the Department with reference to the same selection is to be taken into account for the purpose of arriving the seniority of

respective persons, who were appointed pursuant to that selection.

(iii) In this regard, the authorities competent must ensure that the merit list/ranking list as well as the order of appointments are to be considered for the purpose of fixation of seniority of the respective candidates, taking note of the fact that such persons are appointed from the same selection.

(iv) In this regard, if any discrepancies are found in the impugned seniority list now under challenge in these writ petitions, the respondents are bound to review the decisions in order to correct the errors, if any, occurred.

(v) The writ petitioners are at liberty to submit their revised objections/explanations, if any, with reference to the fixation of their seniority, within a period of four weeks from the date of receipt of a copy of this order. In the event of receiving any such objections/explanations, with reference to their respective seniority, such applications/objections/explanations are directed to be considered by the authority and appropriate decision is to be taken by strictly following the rule of seniority as stated above, within a period of twelve weeks from the date of submission of their objections/explanations.

(vi) The official respondents must ensure that the rule regarding the seniority is strictly followed without any deviation or ambiguity. In the event of any doubt, suitable clarifications are also to be obtained from the Government and accordingly, implement the Rule of seniority in order to avoid all such further litigations in this regard.

6. With the above directions, the writ petitions stand disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary to Government,
State of Tamil Nadu,
Home (Police) Department,
Secretariat, Fort St. George, Chennai-600 009.

2.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai-600 004.

3.The Additional Director General of Police (Admin),
Kamarajar Salai,
Mylapore, Chennai-600 004.

4.The Director General of Police(Training)
Kamarajan Salai, Mylapore, Chennai-600 004.

5.The Chairman,
TNUSRB, Egmore, Chennai-600 007.

+3cc to Mr.G.Sankaran, Advocate Sr.33656, 33660 and 34313

+2cc to Mr.Balan Haridas, Advocate Sr.33649 and 33655

+2cc to Mr.R.Sagadevan, Advocate Sr.33659, and 33652

+2cc to Mr.R.Muniyapparaj, Advocate Sr.33658 and 33654

+1cc to Mr.A.Jagajeevan, Advocate Sr.33661

+1cc to Mr.K.Elango, Advocate Sr.33298

+2cc to Mr.K.Mohanamurali, Advocate sr.33198

+1cc to Mr.M.Baskaran, Advocate Sr.33653

+1cc to Mr.T.Arul, Advocate Sr.33662

+1cc to the Government Pleader Sr.34010

WPs 18882, 18894, 18895,
18877, 19505, 19649, 19710, 19711, 19712,
19713, 19714, 19715 and
20047 of 2018

nmI[co]
srg 17/06/2019

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