

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.28905 of 2019

C. Balusamy

..Petitioner

vs

1. State of Tamil Nadu
Represented by the Secretary to Government
Home, Prohibition, Excise Department
Fort St. George,
Chennai- 600009.

2. The Director General of Police
Dr. Radhakrishnan Salai
Mylapore, Chennai -600004.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue orders, directions or writs, in particular a Writ of Mandamus directing the respondents to restore the original seniority of the petitioner, that is, his seniority on the basis of marks secured in the final examination in the Police Training College and to accord all service benefits like seniority, promotion, backwages and all other attendant service benefits to the petitioner.

For Petitioner : Ms. Ramapriya Gopalakrishnan
For Respondents : Mr. A. N. Thambidurai, Spl.G.P.

सत्यमेव जयते

O R D E R

With the consent of both the parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner filed this Writ Petition seeking direction to direct the respondents to restore the original seniority of the petitioner, that is, his seniority on the basis of marks secured in the final examination in the Police Training College and to accord all service benefits like seniority, promotion, backwages and all other attendant service benefits to the petitioner.

3. The case of the petitioner is that the petitioner joined the police force as a Sub-Inspector of Police on 13.10.1976. On the basis of the marks obtained by him in the Final Examination held by the Police Training College in 1976, he was ranked 14 and his seniority position was 14. Subsequently, on account of an amendment to the Tamil Nadu Police Subordinate Service Rules, the settled seniority of Police Officers of the 1976 batch was disturbed. Two officers of the 1976 batch approached this Court for relief by filing W.P.Nos.38792 and 38793 of 2003 dated 10.09.2007 and this Court was pleased to direct the restoration of their original seniority. In order to avail such a relief, the petitioner made a representation on 02.06.2017 to the respondents, but till date not considered. Hence the present Writ Petition.

4. The learned counsel for the petitioner would submit that the respondents preferred an Appeal by way of an Appeal before the Hon'ble Supreme Court and the same was dismissed and was in favour of the similar situated persons like that of petitioner and the similarly placed persons already received the benefit except the petitioner. In order to avail such a benefit, the petitioner made a representation on 02.06.2017.

5. The learned counsel for the petitioner further submits that it would be suffice to issue direction to the respondents to consider the representation dated 02.06.2017 as expeditiously as possible.

6. Considering the facts and circumstances of the case, and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction the respondents to consider the representation dated 02.06.2017 submitted by the petitioner within a period of twelve weeks from the date of receipt of a copy of this order. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mrn

To

1. State of Tamil Nadu
Home, Prohibition, Excise Department
Fort St. George, Chennai- 600009.

2. The Director General of Police
Dr. Radhakrishnan Salai
Mylapore, Chennai -600004.

+2ccs to Mrs.Ramapriya, Advocate SR.No. 87150

+1 cc to Government Pleader Sr.No. 87796

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A.SK(19/12/2019)