

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.31997, 31998 & 32000 of 2019

- 1 K.SRINIVASAN ... Petitioner in WP.31997/2019
- 2 A.Prakash ... Petitioner in WP.31998/2019
- 3 R.Murugan ... Petitioner in WP.32000/2019

Vs

- 1 The Secretary to Government
Home (Police-3) Department,
Fort St. George, Chennai 9.
- 2 The Director General of Police
Law and Order, Mylapore,
Chennai 04. Respondents in all WPs.

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate writ or Order or Direction and in the nature of writ directing the respondents 1 and 2 to fix the seniority on par with the 1st batch based on the marks secured by the petitioner in the police training college as per Rule by considering the representations of the petitioners' dated 16.09.2018, 22.01.2019 and 30.08.2018 within a reasonable time.

For Petitioner : Mr.S.Sivakumar
in all WPs.

For Respondents : Mr. A.N.Thambidurai, Spl.G.P.
in all WPs.

COMMON ORDER

Since the issue and the prayers in both the Writ Petitions are one and the same, these Writ Petitions are taken up together for final disposal.

2. These Writ Petitions have been filed seeking for a Writ of Mandamus to direct the respondents 1 & 2 to fix the seniority of the Writ Petitioner on par with the 1st batch based on the marks secured by him in the police training college as per Rule, by considering the representations of the petitioners dated 16.09.2018, 22.01.2019 and 30.08.2018 within a reasonable time.

2. By consent of both sides, these Writ Petitions are taken up for hearing and disposed of at the stage of admission itself.

3. It appears that the petitioners were directly recruited as Sub-Inspector of police in the year 1997-1998. The grievance of the petitioners are that though the Government in G.O.No.116 dated 06.02.2017 had passed an order fixing the seniority of the persons who are the batch mates of the petitioners, but, the petitioners' seniority have not been fixed as per mandate of law. In this regard they have made a representation to the authority on 16.09.2018, 22.01.2019 and 30.08.2018 i.e. to the first and second respondents to consider their case for fixation of seniority. Since, no orders have been passed till date, the petitioners have come forward with these Writ Petitions seeking for the aforesaid relief.

5. The learned counsel for the petitioners would submit that the respondents 1 and 2 may be directed to consider and dispose of the representations of the petitioners' dated 16.09.2018, 22.01.2019 and 30.08.2018 as per law, within a stipulated period.

6. The learned Special Government Pleader appearing for the respondents, has stated that the respondents shall have no objection to dispose of the representations of the petitioners' dated 16.09.2018, 22.01.2019 and 30.08.2018, if the same are pending but in accordance with law.

7. Considering the nature of relief sought for by the petitioners and the submissions made, this Court is of the view that no useful purpose would be served in seeking counter affidavit from the respondents before disposal of the Writ Petition.

8. Hence regard being had to the facts and circumstances of the case and also the submissions made, this Court directs the respondents 1 and 2 to consider and dispose of the representations of the petitioners' dated 16.09.2018, 22.01.2019 and 30.08.2018, if the same are pending, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, if there is no other legal impediment and communicate the decision taken to the

petitioners. However, it is made clear that this Court has not expressed no opinion on the merits of the representations.

9. This Writ Petitions are disposed of with the above directions. No costs.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

Jrs

To

1 The Secretary to Government
Home (Police-3) Department,
Fort St. George, Chennai 9.

2 The Director General of Police
Law and Order, Mylapore,
Chennai 04.

+3cc to Mr.S.Sivakumar, Advocate SR.No.94422, 94421, 94420

+1cc to Government Pleader SR.No.95611

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RGN (CO)
GMY (19/12/2019)

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