

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.11.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.33044 & 33048 of 2019

1.S.Velayudham .. Petitioner in WP/33044/2019

2.S.Arunachalam .. Petitioner in WP/33048/2019

Vs.

The Director General of Police
Dr. Radhakrishnan Salai
Mylapore, Chennai - 600 004 ... Respondent in both WPs

Prayer in both Writ Petitions: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to consider and pass orders on the representation made by the petitioner dated 12.09.2019, for restoration his seniority at par with his original batchmates who were appointed to service on 30.11.2003 in the cadre of Grade - II Police Constable and grant the Petitioner all consequential service and monetary benefits, within a limited time frame as deem fit by this Hon'ble Court.

For Petitioner : Mr.M.Alagu Goutham
(in both WPs)

For Respondent : Mrs.R.Janaki
(in both WPs) Additional Government Pleader

C O M M O N O R D E R

The prayer sought for in these Writ Petition is to direct the respondent to consider and pass orders on the representations made by the petitioners dated 12.09.2019, for restoration of seniority on par with their original batchmates who were appointed to service on 30.11.2003 in the cadre of Grade - II Police Constable and grant the Petitioners all consequential service and monetary benefits, within a limited time frame as deem fit by this Hon'ble Court.

2. By consent of both the parties, these Writ Petitions have been taken up for final disposal at the admission stage itself. Since the facts in the above Writ Petitions are one and the same, this Court is passing a Common Order.

3. The case of the petitioners is that they have participated in selection process to the post of Grade-II Police Constable conducted by the Recruitment Board. The petitioners have come out successful in all stages of selection and provisional selection list was issued for the Medical examination. After the Medical Examination, the petitioners were rejected as they have Colour blindness. However, the persons who got selected were appointed to the service on 30.11.2003 and they commenced their institutional training on 01.12.2003. Due to non-selection based on a wrong Medical report, the petitioners were issued with the appointment order only on 30.06.2005 and commenced their institutional training on 11.07.2005. It is their further case that the delay in appointing them into service is only at the instance of the Department. Therefore, they are entitled to get seniority on par with the persons who were appointed to the service on 30.11.2003 and commenced their institutional training on 01.12.2003. To avail such benefit, the petitioners made representations on 12.09.2019. However, till date the said representations were not considered by the respondent. Therefore, the petitioners are before this Court by way of these Writ Petitions.

4. The learned counsel appearing for the petitioners would submit that it would be suffice to issue direction to the respondent to consider and dispose of the petitioners' representations dated 12.09.2019, on merits and in accordance with law.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioners, I am inclined to issue direction to the respondent to consider and dispose of the representations dated 12.09.2019 within a period of twelve weeks from the date of receipt of a copy of this order, on merits and in accordance with law.

6. With the above direction, the Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar (CS-IV)

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Sub Assistant Registrar

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To

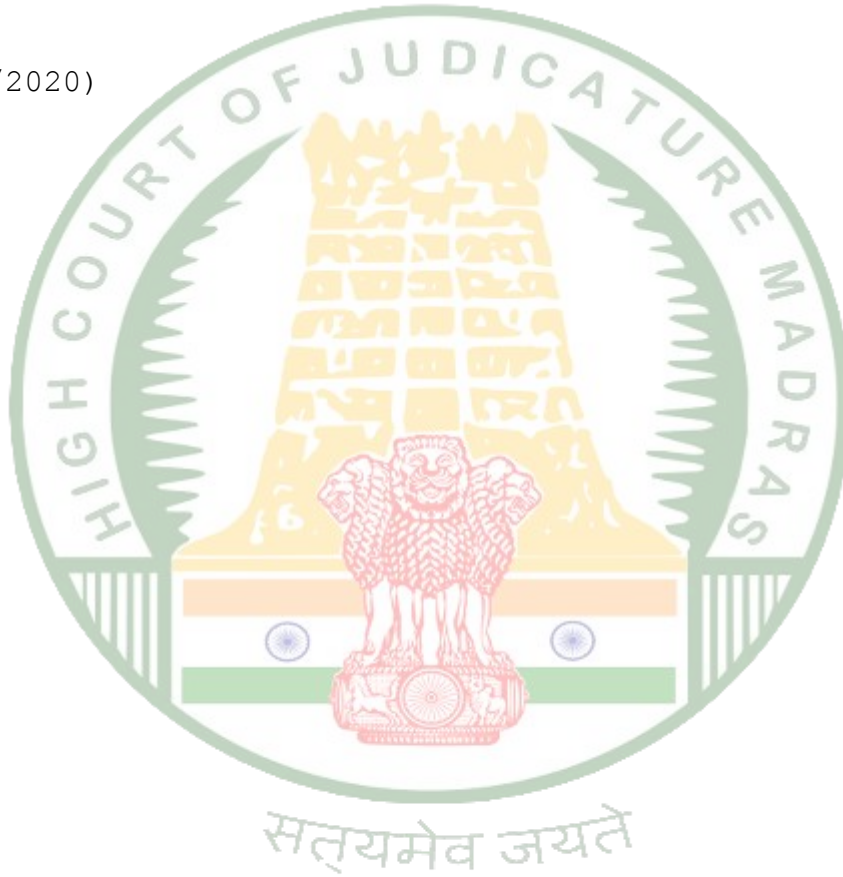
The Director General of Police
Dr. Radhakrishnan Salai
Mylapore, Chennai - 600 004

+2cc to Mr.M.Muthappan, Advocate SR.No.98333

+1cc to Government Pleader SR.No.99429

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PA (CO)
GMY (03/01/2020)



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