



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.03.2019

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD)No.11370 of 2015

D.Mallikarjunaiah,
HC/GD CISF No.844508371,
CISF Unit, CPT,
Cochin.

... Petitioner

vs.

- 1.The Union of India,
Represented by the Secretary,
Ministry of Home Affairs,
New Delhi.
- 2.The Director General,
Central Industrial Security Force,
Block No.13, CGO's Complex,
Lodhi Road, New Delhi-110 003.
- 3.The Inspector General,
Central Industrial Security Force,
Southern Sector, Head Quarters,
Chennai Port Trust Campus,
Chennai - 600 009.
- 4.The Deputy Inspector General,
Central Industrial Security Force,
South Zone, Rajaji Bhawan,
Besant Nagar, Chennai - 600 090.
- 5.The Assistant Commandant/ADM,
Central Industrial Security Force Unit,
4th Reserve Battalion,
Sivagangai.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the fifth respondent dated 08.06.2015 in his office order No.E.38020/ CISF /4th RB(S)/ADM-I/MACP/2015-2647 and quash the same and to direct the respondents to grant financial upgradation under the Assured Career Progression Scheme with effect from the petitioner's eligibility



w.e.f. 28.11.2014 and revise the salary and grant all consequential benefits.

For Petitioner

:Mr.A.S.Mujibur Rahman

For Respondents

: Mr.P.Paul Pandi

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ORDER

Heard the learned Counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents and perused the materials available on record.

2. The case of the petitioner is that the petitioner was appointed in Central Industrial Security Force on 27.11.1984 in the rank of Constable and he has completed more than 30 years of service. The Government of India (Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training), New Delhi has introduced the Assured Career Progression Scheme (ACP scheme) whereby civilian employees were to be granted two financial upgradations on completion of 12 years and 24 years of regular service in the same post. The petitioner was granted two financial upgradations. During the currency of punishment period, the petitioner's case was not considered for third MACP. Even after completion of 30 years of his service, he was not given such benefit. Hence, this Writ Petition came to be filed.

3. Though the petitioner seeks a larger prayer in this Writ Petition, when the matter is taken up for hearing, the learned Counsel appearing for the petitioner restricted the same and seeks liberty to the petitioner to approach the authorities seeking any other monetary benefit, for which, the learned Counsel for the respondents has no serious objection.

4. Granting such liberty, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Secretary,
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4th Reserve Battalion,
Sivagangai.

1CC TO MR. A.S. MUJIBUR RAHMAN, ADVOCATE SR 57337

1CC TO MR. P. PAULPANDI, ADVOCATE SR 56893

DS

29/04/2019

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