

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2020

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THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.14990 of 2007

G.Elangovan
Typist (Special Grade)
District Police Office
Dharmapuri District.

... Petitioner

Vs.

1.The Govt. of Tamil Nadu
Rep. by its Secretary,
Home Dept. Fort St.George, Chennai - 9.

2.The Director General of Police,
Mylapore, Chennai - 4.

3.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
807, II Floor, 807 Anna Salai,
Chennai - 600002.

... Respondents

PRAYER : Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the first respondent in letter No.103442/Police 3/2006-1 dated 29.11.2006 and quash the same and consequently direct the respondents herein to allot 5% of the post of Sub Inspector of Police to the Ministerial Staffs working in Police Dept. by transfer of service for appointment to the post of Sub Inspector of Police from the recruitment year of 2006 so as to enable the petitioner to be appointed as Sub Inspector of Police for the recruitment year of 2006.

For Petitioner : Mr.K.Raja

No appearance

For Respondents : Mr.K.Magesh

Special Government Pleader

ORDER

This Writ Petition has been filed calling for the records of the first respondent in letter No.103442/Police 3/2006-1 dated 29.11.2006 and quash the same and consequently direct the

respondents herein to allot 5% of the post of Sub Inspector of Police to the Ministerial Staffs working in Police Department by transfer of service for appointment to the post of Sub Inspector of Police from the recruitment year of 2006 so as to enable the petitioner to be appointed as Sub Inspector of Police for the recruitment year of 2006.

2. When the matter is taken up for hearing today, there is no representation on behalf of the petitioner.

3. The case of the petitioner is that he was appointed as typist through Tamil Nadu Public Service Commission and joined service in ADW & TW (Dept) and thereafter was transferred to Police Department. Further, the petitioner gave a representation dated 07.08.2006 to the first respondent, seeking permission to participate in the appointment to the post of Sub Inspector of Police by way of transfer of service and allotment of 5% of the post of Sub Inspector of Police for the Ministerial staffs working in Police Department, by way of transfer of service, and the same was rejected vide impugned letter dated 29.11.2006. Challenging the said letter, the present writ petition is filed before this Court.

4. Heard the learned Special Government Pleader appearing for the respondents.

5. The learned Special Government Pleader for the respondents would submit that the petitioner was appointed as a Typist through Tamil Nadu Public Service Commission and was posted in District Police Office. Though the claim of the petitioner was rejected on the basis of G.O.Ms.No. 1054/Home/Pol.III/Dept. Dated 13.07.1995, he filed the original application and at the time of filing of the Original Application, the petitioner was aged about 45 years and now, he retired on superannuation and therefore, the said writ petitioner is not entitled for the said benefit.

6. Admittedly, the petitioner was appointed as Typist in the second respondent/Department. He has submitted a representation stating that he should be either appointed in the 20% reservation allotted for Executive Staff or in the 10% reservation allotted for the Ministerial Staff. The petitioner was not appointed directly as a Police Constable or as a staff in the Police Department, he was only selected through Tamil Nadu Public Service Commission as a typist and as per his choice, he has been posted in the Police Department as a typist therefore, he is not entitled for that benefit. Further, the petitioner is not entitled to get any age relaxation.

7. Considering the facts and circumstances of the case,

there is no merit in the writ petition and the same is liable to be dismissed. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary,
Govt. of Tamil Nadu,
Home Dept. Fort St.George, Chennai - 9.

2.The Director General of Police,
Mylapore, Chennai - 4.

3.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
807, II Floor, 807 Anna Salai,
Chennai - 600002.

+1cc to the Government Pleader, S.R.No. 36948

W.P.No.14990 of 2007

KV(CO)
GN(11/12/2020)

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