

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3553 of 2020

B. Arpudharajannah

... Petitioner

Vs.

- 1.State of Tamil Nadu,
Rep.by Principal Secretary to Government,
Home (Police) Department,
Fort St. George, Chennai - 600 009.
- 2.The Director General of Police,
O/o. Director General of Police,
Mylapore, Chennai - 600 004.
- 3.The Additional Director General of Police (Admn.)
Kamarajar Salai,
Mylapore, Chennai - 600 004. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, directing the respondents to finalize the seniority in the post of Data Entry Operator (DEO) in Police Department as per Service Rules framed in G.O.Ms.No.220, Home Department dated 18.02.2016 by considering the representation of the petitioner dated 30.12.2019 within a time frame to be fixed by this Court.

For Petitioner : Mr.G. Sankaran

For Respondents: Mr.V. Prabhu,
Government Advocate

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O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the respondents to finalize the seniority in the post of Data Entry Operator in the Police Department as per the service rules, based on the representation made by the petitioner.

2. The case of the petitioner is that he was appointed as Data Entry Operator on compassionate grounds in the year 2010. A Government order came to be issued in Go.Ms.No.989, dated 21.10.2002 which empowers the second respondent to

select and appoint 800 candidates as Data Entry Operators on a consolidated pay from those who are in the waiting list for the appointment as Junior Assistant/Typist. Subsequently, they were brought in the time scale of pay in the year 2007.

3. The further case of the petitioner is that the seniority to the post of Data Entry Operator has not been arrived till date. Therefore, there is a serious anomaly to the post of Junior Assistant/Typist by transfer. Without finalizing the seniority, appointment to the said post is being done on a random basis. As a result of the same, juniors in the post of Data Entry Operator are being appointed in the post of Typist. According to the petitioner this will have a cascading effect with regard to all further promotions also. Therefore, a seniority list must be prepared for the Data Entry Operator and only thereafter the appointment should take place.

4. The petitioner has made a representation to the respondents on 30.12.2019 in this regard. Since the same was not considered, the present writ petition has been filed seeking for appropriate direction.

5. Heard, Mr. G. Sankaran, learned counsel appearing for the petitioner and Mr. V. Prabhu, learned Government Advocate, appearing for the respondents.

6. Taking into consideration of the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 30.12.2019 seeking for fixation of seniority in the post of Data Entry Operator and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of the representation dated 30.12.2019 and a copy of this order.

7. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

AT

To

1.The Principal Secretary to Government,
State of Tamil Nadu,
Home (Police) Department,
Fort St. George, Chennai - 600 009.

2.The Director General of Police,
O/o. Director General of Police,
Mylapore, Chennai - 600 004.

3.The Additional Director General of Police (Admn.)
Kamarajar Salai,
Mylapore, Chennai - 600 004.

+1cc to Mr.G.Sankaran, Advocate, S.R.No. 12145
+1cc to the Government Pleader, S.R.No. 12386

W.P.No.3553 of 2020

MR(CO)
GN(20/02/2020)



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