

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

WP.No.4368 of 2020

Biplab Roy
Inspector/Executive,
Central Industrial Security Force Unit,
10th Reserve Battalion, Arakkonam,
Ranipet District-631 152.

..Petitioner

- Vs -

1. The Special Director General,
Airport Sector Head Quarters,
Central Industrial Security Force,
C.G.O. Complex, Lodhi Road,
New Delhi-110 003.
2. The Inspector General, APS-II,
South West Head Quarters,
Central Industrial Security Force,
Airport Security Group,
Kempegowda International Airport,
Bengaluru-560 300.
3. The Deputy Inspector General/AP-SZ,
Central Industrial Security Force,
South Zone, Head Quarters,
Rajaji Bhavan, Besant Nagar,
Chennai-600 090.
4. The Senior Commandant,
Central Industrial Security Force Unit,
10th Reserve Battalion,
Arakkonam, Ranipet District-631 152.

..Respondents

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 2nd respondent in his Order No.V-15019/APS-II/Disc/Apl-(05/19)-BR/2019/6640 dated 19.09.2019 and modifying the order of the third respondent in his order No.V-15019/L&R/APSZ/Disc/Maj-04/BP/2019/4044 dated 29.07.2019 and quash the same and to direct the respondents to provide all consequential service cum monetary benefits with arrears.

For Petitioner : Mr.R.Thiyagarajan
For Respondents : Dr.G.Babu
CGSC

O R D E R

On the consent given by both sides, this writ petition has been taken up for final hearing at the admission stage itself.

2. This writ petition has been filed challenging the orders passed by the second respondent by his proceedings dated 19.09.2019, modifying the order passed by the third respondent by his proceedings dated 29.07.2019.

3. Dr.G.Babu, learned Central Government Standing Counsel, on instructions, submitted that as against the orders passed by the second respondent, there is a remedy before the first respondent by way of a Revision Petition and without exhausting the same, the petitioner has directly approached this Court by filing this writ petition.

4. The learned counsel appearing on behalf of the petitioner submitted that the petitioner can be granted Leave to file a Revision petition before the first respondent and work out his remedy.

5. Taking into consideration the facts and circumstances of the case, this Court is not inclined to entertain the writ petition in view of the alternative remedy available to the petitioner before the first respondent by way of filing Revision Petition.

6. This Writ Petition is disposed of by granting Leave to the petitioner to file a Revision Petition before the first respondent, within a period of two (2) weeks from the date of receipt of a copy of this order. The first respondent, on receipt of the Revision Petition filed by the petitioner, shall pass final orders within a period of twelve (12) weeks thereafter. The petitioner shall file the Revision Petition before the first respondent alongwith a copy of this order. No costs.

Sd/-
Assistant Registrar(C.S.IV)

/True Copy/

Sub Assistant Registrar

To

1. The Special Director General,
Airport Sector Head Quarters,
Central Industrial Security Force,
C.G.O. Complex, Lodhi Road,
New Delhi-110 003.
2. The Inspector General, APS-II,
South West Head Quarters,
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10th Reserve Battalion,
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Copy to : The Section Officer, E.R.Section,
High Court of Madras, Chennai.

+1 cc to M/s.R.Thiyagarajan, Advocate Sr.No. 15450
+2 cc to Mr.G.Babu, Advocate Sr.No.15776

AKM/27.02.2020/3P- 9C /

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सत्यमेव जयते

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