

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.5075 of 2020

T.Lakshmikanth

... Petitioner

vs.

The Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore,
Chennai - 04.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to pass orders on the representation made by the petitioner dated 06.05.2019 for restoration of seniority within a reasonable time and grant such other further relief as this Court may deem fit in the circumstances of the case.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.P.S.Sivashanmuga Sundaram
Special Government Pleader

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the respondent to consider the representation made by the petitioner on 06.05.2019 who is seeking for a restoration of seniority.

2.The case of the petitioner is that he was appointed as Grade II Police Constable during the selection conducted in the year 2003. Even though the petitioner came out successful in all the stages of selection, he was medically invalidated by the Medical Board. Therefore, the petitioner approached this Court by filing W.P.No.35587 of 2004 and this Court directed the petitioner to undergo the test before the Medical Board. The petitioner went through the test and he was found to be medically fit.

3. Thereafter, the petitioner was not sent for training and therefore, the petitioner again approached this Court by filing W.P.No.7037 of 2006 and this Court by way of interim order passed on 06.04.2006, directed the respondent to send the petitioner for police training. The petitioner was also sent for training and he completed his training.

4. The grievance of the petitioner is that his batch mates who were recruited along with him in the year 2001-03 have been upgraded as Grade-I Police Constable and whereas the petitioner has not got this benefit on the ground that he is yet to complete 10 years of service. According to the petitioner, the delay in sending the petitioner for training cannot be put against the petitioner. Therefore, the petitioner is to be considered on par with his batch mates. The petitioner has made a representation in this regard to the respondent on 06.05.2019. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

5. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent.

6. Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the respondent to consider the representation made by the petitioner on 06.05.2019 and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the respondent along with a copy of the representation dated 06.05.2019 and a copy of this order.

7. This writ petition is disposed of with the above directions. No Costs. सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

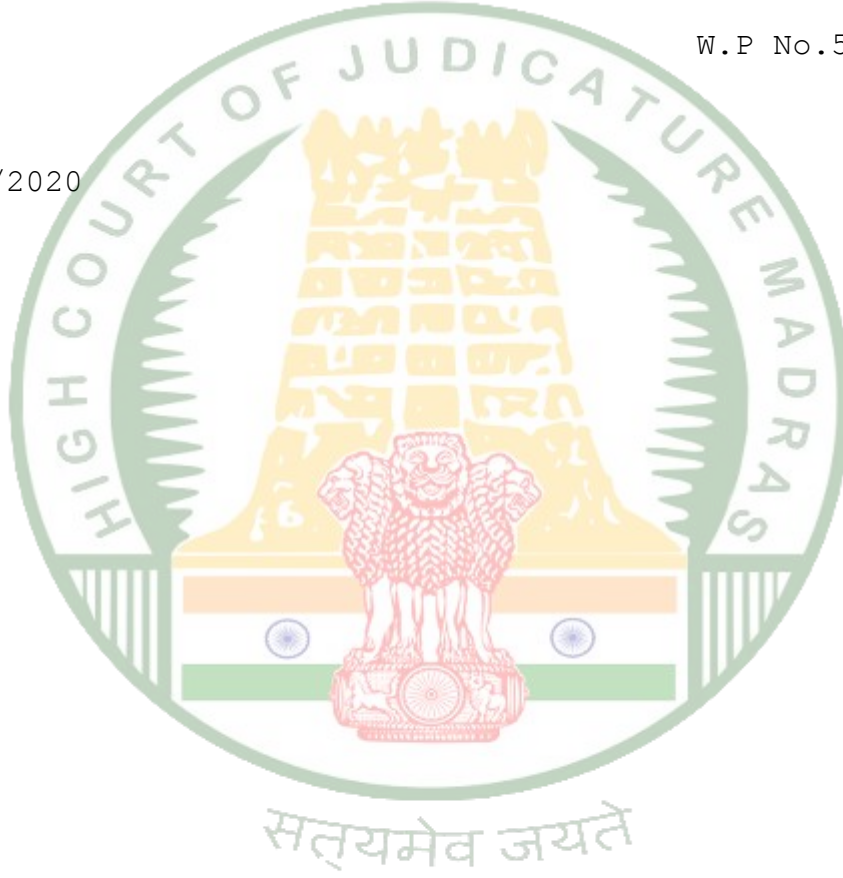
To

The Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore, Chennai - 04.

+lcc to the Government Pleader Sr.18219
+lcc to Mr.S.Sivakumar, Advocate Sr.17681

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pvs[co]
srg 21/07/2020



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