

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.31328 OF 2013

AND

M.P.NO.1 OF 2013

N.Kasturi

... Petitioner

Vs.

1.The Secretary to Government,
Home Department,
Fort St.George,
Chennai - 600 009.

2.Director General of Police,
Chennai - 600 004.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent herein to revise the seniority of the petitioner from the date of her original appointment in accordance with the Division Bench Judgment of this Hon'ble Court in W.P.No.21654 of 2004 batch dated 03.04.2006 and further promote the petitioner as Personal Assistant (Administration) in Police Department, with in a time frame as deem fit and proper by this Hon'ble Court or issue any other appropriate Writ Order, direction in the nature of a Writ or another appropriate relief as this Honorable court may deem fit in the circumstances of the case.

For Petitioner : M/s.G.Bala

For Respondents : Mr.A.N.Thambidurai

Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to revise the seniority of the petitioner from the date of her original appointment in accordance with the Division Bench Judgment of this Court in W.P.No.21654 of 2004 batch dated 03.04.2006 and to further promote the petitioner as Personal Assistant (Administration) in the Police Department, within a time frame.

2.The case of the petitioner is that the petitioner joined the Government services as Junior Assistant on 15.03.1980 on compassionate ground and was promoted as Assistant on 06.01.1992 and was further promoted as Superintendent on 01.06.2006 on regular basis. According to the petitioner, she is fully eligible for promotion to the post of Personal Assistant (Administration) for the year 2013-2014.

3.It is the further case of the petitioner that the second respondent issued State Seniority List of Superintendents on 11.08.2009 in accordance with the Rules taking into account the original date of appointment. Thereafter, on 14.08.2012 the second respondent issued revised seniority list, in which, persons junior to the petitioner were placed above the petitioner. Aggrieved by the same, the petitioner made representation to the respondents and since there was no action, came forward to file this writ petition.

4.The learned counsel appearing for the petitioner would submit that earlier the Division Bench of this Court has considered the case of similarly situated persons in W.P.Nos.21654 of 2004 etc., batch and has passed order in the said writ petitions on 03.04.2006. Hence, it would suffice, if this Court issues direction to the respondents to comply with the order of the Division Bench of this Court dated 03.04.2006 made in W.P.Nos.21654 of 2004 etc., batch.

5.The learned Special Government Pleader has no serious objection for this Court issuing such a direction.

6.In view of the above, this Court directs the respondents to extend the benefits of the order of the Division Bench of this Court dated 03.04.2006 made in W.P.Nos.21654 of 2004 etc., batch, if petitioner otherwise eligible, within a period of three months from the date of receipt of a copy of this order.

7.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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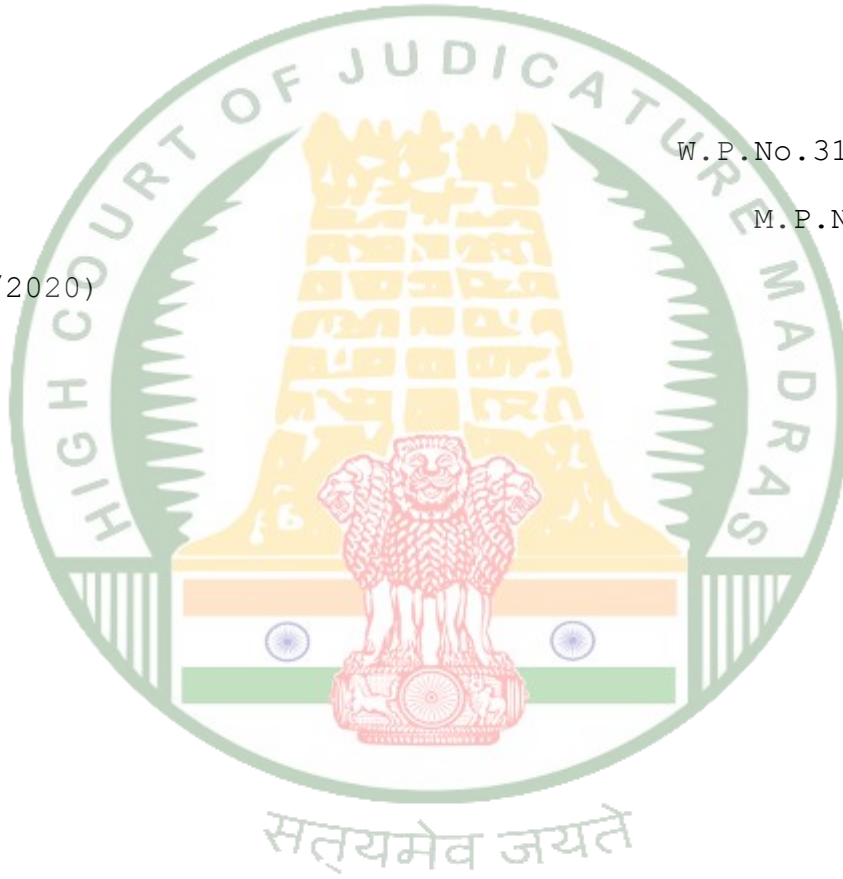
1.The Secretary to Government,
Home Department,
Fort St.George,
Chennai - 600 009.

2.The Director General of Police,
Chennai - 600 004.

+1cc to the Government Pleader, Advocate in S.R.No.33311

SRA (CO)
NRA (08/12/2020)

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