

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.NO.12813 OF 2020

K.Thiyagarajan

... Petitioner

-Vs-

1. The Secretary to Government,
Home (Police III) Department,
Fort St.George,
Chennai 600 009.

2. The Director General of Police,
Rajaji Salai, Mylapore,
Chennai 600 004.

3. The Commissioner of Police,
Greater Chennai,
E.V.K.Sampath Salai,
Vepery,
Chennai 600 007.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to fix the petitioner's seniority in par with 2001-03 batch under Grade -II PC and make necessary correction in the service record with all service benefits by considering the petitioner's representation dated 29.05.2020.

For Petitioner : Mr.Abdul Basith

For Respondents : Mr.J.Ramesh, AGP

O R D E R

This writ petition has been filed to issue a Writ of Mandamus, directing the second respondent to fix the

petitioner's seniority on par with 2001-03 batch under Grade -II PC and make necessary correction in the service record with all service benefits by considering the petitioner's representation dated 29.05.2020.

2. The case of the petitioner is that he was selected as Grade II Police Constable pursuant to the selection held for the year 2002-03. But however, on finding that he had defective eye sight, he was finally not appointed. According to the petitioner, subsequently, he underwent medical treatment and obtained a certificate from a Hospital on 11.02.2005, certifying him as having normal eye sight on 11.02.2005. After the medical treatment and the certificate issued by the Hospital, the petitioner submitted his representations dated 17.05.2006 and 21.10.2006, seeking appointment as Grade II Police Constable on the basis of the selection conducted for the year 2002-03. As there was no order passed on his representations, the petitioner approached this Court in W.P.No.5417 of 2007. This writ petition was disposed of on 15.02.2007, directing the respondents to consider his representation dated 17.05.2006. Pursuant to the direction of this Court, the petitioner was also appointed as Grade II Police Constable on 18.01.2011. Thereafter, the petitioner made a representation on 29.05.2020, seeking seniority on par with 2001-03 batch Grade II Police Constables. Since no action was taken on the representation, the petitioner is before this Court.

3. The affidavit filed by the petitioner is too sketchy to comprehend as to what is the basis of the petitioner's claim for seeking service benefits like seniority on par with 2001-03 batch. This Court is unable to deduce any substance in the writ petition as to the basis of the claim of the writ petition in 2020. The history of the claim of the petitioner relates back to some where in 2001 or 2003 and in fact, this Court finds that the dates have been given wrongly in many places in the affidavit, without any care for its co-relation.

4. Even otherwise, the prayer as it appears is extremely vague and bereft of any specificity, so is the case of the contents of the affidavit and no iota of cause of action has been disclosed in the affidavit for the petitioner to seek the service benefits for a period of 18 years. Even in the typedset of documents, nothing has been enclosed to support the claim of the petitioner.

5. In the absence of any material, this Court does not think that the writ petition could be entertained at all and writ of mandamus could be issued. On the whole, this Court is of the view that the writ petition is completely devoid of any substance and liable to be dismissed. Therefore, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Home (Police III) Department,
Fort St.George, Chennai 600 009.
2. The Director General of Police,
Rajaji Salai, Mylapore,
Chennai 600 004.
3. The Commissioner of Police,
Greater Chennai,
E.V.K.Samath Salai,
Vepery, Chennai 600 007.

W.P.No.12813 of 2020

MR(CO)
CS/02/11/2020

सत्यमेव जयते

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