

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P.No.21826 of 2017

P. Sivasubramanian

..Petitioner

Vs

1.The Additional Director General of Police and
Inspector General of Prisons,
Tamil Nadu Prison Department,
Egmore, Chennai.

2.The Superintendent,
Central Prison-II,
Puzhal, Chennai.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the first respondent to provide seniority
to the petitioner from the year of 2014-2015 seniority list
and issue all service and monetary benefits in accordance with
law.

For Petitioner : Mr.M.R. Senthilkumar

For Respondents : Mr.S. Thangavel
Special Government Pleader

ORDER

This writ petition has been filed by the petitioner
seeking for a direction to the first respondent to fix the
seniority to the petitioner for the year 2014-2015 and issue
all service and monetary benefits in accordance with law.

2. According to the petitioner, on 22.08.2005, he joined
as Grade-II Warden in the Tamil Nadu Prison Department and was
working at the Central Prison, Palayamkottai. Due to some
altercation between outsiders and relatives, for which, the
Tuticorin Central Police had registered a criminal case
against the petitioner in Crime No.326 of 2008 for the
offences punishable under Sections 294(b), 323, 506(ii) of
IPC. Thereafter, the police had taken him into their custody

along with his relatives in connection with the above incident for interrogation and the petitioner has also been arrested and remanded to judicial custody and was placed under suspension on 18.07.2008. Subsequently, departmental enquiry proceedings was conducted and punishment was imposed to him by the Superintendent of Central Prison, Palayamkottai, vide Proceedings No.11218/G1/2008, dated 20.05.2010 for one year stoppage of increment without cumulative effect. The petitioner's name was not considered by the respondent for promotion for the past one year. Hence, the petitioner made a representation to the first respondent on 25.05.2017. Hence, the petitioner has come forward with the present writ petition before this Court.

3. Counter affidavit has not been filed on behalf of the respondents.

4. Mr.S. Thangavel, learned Special Government Pleader appearing for the respondents 1&2 submitted that the petitioner's representation dated 25.05.2017 is pending before the authority concerned and the same shall be considered in accordance with Rules.

5. In view of the submission made by the learned Special Government Pleader, without expressing any opinion on the merits of the matter, the first respondent is directed to consider the petitioner's representation dated 25.05.2017 and pass appropriate orders on merits and in accordance with law as expeditiously as possible within a period of twelve weeks (12) from the date of receipt of a copy of this order.

6. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

msm

To

1.The Additional Director General of Police,
Inspector General of Prisons,
Tamil Nadu Prison Department,
Egmore, Chennai.

2.The Superintendent Central Prison II,
Puzhal, Chennai.

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+1cc to the Government Pleader SR.8132

W.P.No.21826 of 2017

VGI (CO)
CB (24/09/2020)



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