



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2020

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.12831 of 2020

WEB COPY

V.Jeyabalan

...Petitioner

-Vs-

1.The State of Tamil Nadu,
Rep., by its Secretary,
Home (Police V) Department,
Fort St.George,
Chennai-9.

2.The Director General of Police,
Dr.Radhakrishnan Salai,
Chennai.

3.The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board,
No.49th Cross Street,
Indira Nagar, Adayar, Chennai-20

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider and pass appropriate orders on the petitioner's representation dated 07.08.2018 within the stipulated time as fixed by this Court.

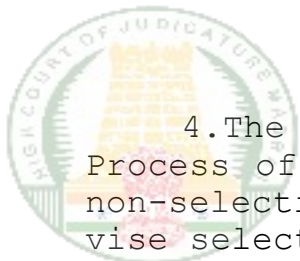
For Petitioner : Mr.S.Chellapandian
For Respondents : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus, to direct the respondents to consider and pass appropriate orders on the petitioner's representation, dated 07.08.2018 within a time frame to be stipulated by this Court

2.Heard Mr.S.Chellapandian, learned counsel appearing for the petitioner and Mr.K.Mu.Muthu, learned Additional Government Pleader appearing for the respondents.

3.By consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.



4.The petitioner participated in the Sub-Inspector Selection Process of the year 1998, but he was not selected. The reason for non-selection is, that selection in that period was taken on zonal-wise selection. However, the said Zonal-wise selection was found to be unlawful and accordingly, those, who had not been selected because of the implementation of the Zonal-wise selection, seem to have been directed to be selected and accordingly, subsequently, after several legal battles, the petitioner has been selected and appointed as Sub-Inspector of Police.

5.In this context, the grievance of the petitioner is that, his seniority to be reckoned from the date of original selection and appointment, where his batch mates had been selected and appointed and got training. In this regard, the petitioner's request seems to have been rejected by the Additional Director General of Police on 19.07.2018, as against which, on 07.08.2018 the petitioner preferred a review and the said review is still pending before the second respondent. Therefore, the learned counsel appearing for the petitioner seeks indulgence of this Court to give a Mandamus to the respondents to dispose of the review petition on merits and in accordance with law within a time frame.

6.The learned Additional Government Pleader appearing for the respondents would submit that, similar review filed by yet another employee had also been directed to be decided on merits by order of this Court, dated 14.09.2020 in W.P(MD).No.11525 of 2020. Therefore, in that line, the review filed by the petitioner herein also, dated 07.08.2018 would be decided by the respondents, especially, by the second respondent within a time frame that may be stipulated by this Court.

7.Considering the aforesaid facts and circumstances, this Court is inclined to dispose of this writ petition with the following order:

'that the respondents, especially, the second respondent is hereby directed to consider the review application filed by the petitioner, dated 07.08.2018 and pass orders thereon, on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.'

8.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



- 1.The Secretary,
State of Tamil Nadu,
Home (Police V) Department,
Fort St.George,
Chennai-9.
- 2.The Director General of Police,
Dr.Radhakrishnan Salai,
Chennai.
- 3.The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board,
No.49th Cross Street,
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+1 CC to Mr.S. CHELLAPANDIAN, Advocate (SR-18576[F] dated
30/09/2020)

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28.09.2020

VB (16.12.2020) 3P 5C