

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. Nos.30670 and 30763 of 2008
and
M.P.No.1 of 2008

1. M.Subraminian
2. M.Selvam
3. M.Saravanan
4. K.Paraninathan
5. V.Chitrarasu
6. M.K.Rukmani

..Petitioners in
W.P.No.30670 of 2008

1. K.Partheeban
2. S.Teekaraman
3. S.Sounder Rajan
4. K.Gunasekaran
5. A.Marimuthu
6. M.Velmurugan
- 7.S.Ganesan
- 8.K.Kasi

..Petitioners in
W.P.No.30763 of 2008

1. Principal Secretary to Government,
Home Department, Fort St. George,
Chennai 600 009.
2. Director General of Police,
Chennai 600 004.

..Respondents in
both W.P.'s

PRAYER in W.P.No.30670 of 2008: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for records pertaining to the impugned order passed by the first respondent herein in his proceedings Letter No.45729/Police-3/2008-30 dated 05/12/2008 and quash the same in so far as the petitioners are concerned and consequently direct the respondents herein to restore the petitioners as Sub-Inspector of Police (Armed Reserve) as per their original appointment order together with all service benefits.

PRAYER in W.P.No.30763 of 2008: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for records pertaining to the impugned order passed by the first respondent herein in his proceedings Letter No.45729/Police-3/2008-30 dated 05/12/2008 and quash the same in so far as the petitioners are concerned and consequently direct the respondents herein to restore the petitioners as Sub-Inspector of Police (Taluk Police) as per their original appointment order together with all service benefits.

For Petitioner : Ms.G.Bala and Daisy
(in both W.P's)

For Respondents : Mr. P.Anandakumar (R1 and R2)
(in both W.P.'s) Government Advocate

C O M M O N O R D E R

W.P.No.30670 of 2008 has been filed challenging the order passed by the first respondent herein in his proceedings Letter No.45729/Police-3/2008-30 dated 05/12/2008 and quash the same in so far as the petitioners are concerned and consequently direct the respondents herein to restore the petitioners as Sub-Inspector of Police (Armed Reserve) as per their original appointment order together with all service benefits.

2.W.P.No.30763 of 2008 has been filed challenging the impugned order passed by the first respondent herein in his proceedings Letter No.45729/Police-3/2008-30 dated 05/12/2008 and quash the same in so far as the petitioners are concerned and consequently direct the respondents herein to restore the petitioners as Sub-Inspector of Police (Taluk Police) as per their original appointment order together with all service benefits.

3.Since the issues involved in both these Writ Petitions are one and the same, they are taken up together and disposed of by a common order.

4. According to the Writ Petitioners, the petitioners in both these Writ Petitions were appointed as Sub Inspector of Police(Armed Reserve) and Sub Inspector of Police (Taluk Police) respectively by direct recruitment and subsequently without any notice them, they have been transferred as Sub Inspector of Police (Tamil Nadu Special Police) and Sub Inspector of Police (Armed Reserve) respectively, for which there is no provision in the statutory rules.

5. The learned Government Advocate appearing for the respondents submits that there was mistake in the allotment of categories to the post of Armed Police and Taluk Police and the same has been rectified by the respondents. He further relied upon the Order of this Court dated 27.01.2009 passed in a batch of Writ Petitions in W.P.Nos.29709 of 2008 etc., wherein this Court in paragraph 42 has issued certain directions in respect of the allotment of the aforesaid posts and submitted that the said decision will apply to the facts and circumstances of the present case.

6.The learned counsel appearing for the petitioner also accepted the said contention made by the learned Government Advocate appearing for the respondents.

7.In view of the same, these Writ Petitions are disposed of in terms of aforesaid order dated 27.01.2009 in W.P.Nos.29709 of 2008 etc., . Consequently, connected M.P. is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

arr

To

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

2. Director General of Police,
Chennai 600 004.

+2cc to M/s.G.Balu & Daisy, Advocate, S.R.No.66500, 66501

+1cc to the Government Pleader, S.R.No.67078

W.P. Nos.30670 and 30763 of 2008
and M.P.No.1 of 2008

RSI(CO)
RGA(12/01/2022)