

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.03.2021
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.40842 of 2015

Ramalingam.K

... Petitioner

Vs.

- 1.Union of India represented by
The Secretary to Government,
Government of India,
Ministry of Home Affairs,
Department of Internal Security North Block,
New Delhi - 110 001.
- 2.Director General (Police) (ITBP),
Office of the Director General,
Indo-Tibetan Border Police Force (ITBP),
Block No.2, C. Go. Complex,
Lodhi Road,
New Delhi - 110 003.
- 3.Inspector General (Police) (ITBP),
Inspector General (IG) North West Frontier (NW),
Indo-Tibetan Border Police Force (ITBP),
P.O.-Near AirPort Road,
Chandigath - 160 003.
- 4.The Deputy Inspector General of Police (DIG) (ITBP),
The SHQ (Srinagar),
ITB Police P.O.,
Panthachowk District,
Srinagar (J&K),
Jammu and Kashmir - 191 101.
- 5.The Solider 37th Vahini
Indo-Tibetan Border Police Force (ITBP),
Mutali,
Uttar Kashi (Uttarkhand).
- 6.The Officer Commanding,
37th BN, ITB Police Force,
Mutali,
Uttar Kashi (Uttarkhand).
- 7.The Officer incharge for ROE,
37th BN, ITB Police Force,

Mutali,
Uttar Kashi (Uttarkhand).

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider and take appropriate action the petitioner's representation dated 14.12.2015 and thereby direct them to provide full monetary benefits i.e., Back Wages / Full Pay and Allowances for the period of 15.08.2012 to 15.01.2014 with reasonable interest at the rate of 18% per annum and nonmonetary benefits such as seniority, promotion and other benefits, which I am legally entitled for, forthwith and treat the intervention period i.e., from 15.08.2012 to 15.01.2014 as spent on duty.

For Petitioner : Mr.Prakash Adiapadam
For Respondents : Mr.K.S.Jaya Ganeshan
CGSC

ORDER

The petitioner has filed this writ petition seeking direction to the respondents to dispose of his representation dated 14.12.2015.

2.The learned counsel appearing for the petitioner submitted that the petitioner made representation dated 14.12.2015 to the respondents seeking monetary benefits and non monetary benefits such as Back Wages / Pay and Allowances for the period from 15.08.2012 to 15.01.2014, seniority, promotion and other benefits, forthwith, however, the same has not yet been considered.

3.Though the respondents have filed a counter affidavit, the learned Central Government Standing Counsel appearing for the respondents submitted that the petitioner's representation dated 14.12.2015, would be considered on merits, meting out all the claims made therein.

4.In view of the above, this Court directs the respondents to consider all the claims sought for in the petitioner's representation dated 14.12.2015 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

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To

1. The Secretary to Government,
Government of India,
Ministry of Home Affairs,
Department of Internal Security North Block,
New Delhi - 110 001.
2. Director General (Police) (ITBP),
Office of the Director General,
Indo-Tibetan Border Police Force (ITBP),
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37th BN, ITB Police Force,
Mutali,
Uttar Kashi (Uttarkhand).

+1cc to Mr.K.S.JEYAGANESAN ,Advocate, SR.NO.18681

+cc to Mr.PRAKASH ADIAPADAM,Advocate, SR.NO.18697

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PMK (CO)
KKN 21.04.2021



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