



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P.No.12829 of 2021
and W.M.P.Nos.13620 & 13621 & 13676 of 2021

A.Raja .. Petitioner

Versus

1.The Director General,
Central Industrial Security Force,
Block No.13, C.G.O. Complex,
Lodhi Road,
New Delhi - 110 003.

2.The Additional Director General (South),
CIST South Head Quarters,
Karghar, Sector - 35,
Navi Mumbai - 410 210.

3.The Assistant Commandant/Admn.,
Central Industrial Security Force Unit,
CISF Unit, ChPT, Chennai,
Chennai - 600 001.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 3rd respondent on behalf of 1st Respondent in his order No.E-38014/CISF/ChPT/Adm-1/POSTING/2021-3176 dated 09.06.2021 quash the same and to direct the 2nd respondent to consider the petitioner CISF Online request dated 08.04.2021 on deferment of posting for the period of one year under medical treatment grounds.

For Petitioner : Mr.R.Thiyagarajan
For Respondents : Mr.V.T.Gopalan
Senior Panel Counsel

O R D E R

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 3rd respondent on behalf of 1st Respondent in his order No.E-38014/CISF/ChPT/Adm-1/POSTING/2021-3176 dated 09.06.2021 quash the same and to direct the 2nd respondent to consider the petitioner CISF Online request dated 08.04.2021 on deferment of posting for the period of one year under medical treatment grounds.



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2. Learned counsel appearing for the petitioner states that the petitioner will be satisfied if a direction is issued to the second respondent to pass an order on the CISF Online request dated 08.04.2021, within the time stipulated by this Court.

3. Mr. V. T. Gopalan, learned Senior Panel Counsel appearing on behalf of the respondents submitted that the petitioner submitted an application to go on voluntary retirement. However the learned counsel for the petitioner states that the application submitted earlier is likely to be withdrawn and the petitioner has also filed a subsequent application withdrawing his request to go on voluntary retirement.

4. However, there is a dispute regarding the question whether the application of voluntary retirement has been accepted or can be withdrawn. Considering the limited scope of the prayer which is now sought for in this Writ Petition, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to dispose of this petition with a direction to the 2nd respondent to consider the petitioner's CISF Online request dated 08.04.2021 on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. In case an adverse order is passed against the petitioner, it is open to the petitioner to challenge the same and at that time the petitioner can also agitate all the points now raised in the present writ petition. Consequently, connected miscellaneous petitions are closed. No Costs.

Sd/-

Assistant Registrar (CS IX)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Director General,
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CISF Unit, ChPT, Chennai,
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+1cc to Mr. R. Thiyagarajan, Advocate SR.No. 28856

W.P.No.12829 of 2021

and W.M.P.Nos.13620 & 13621 & 13676 of 2021

SRA (CO)

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B.VC(19.07.2021)