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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2021

C O R A M

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.14028 of 2021

1.R.Suresh
2.K.Nagalingam

...Petitioners

Vs.

1.The Principal Chief Security Commissioner,
Railway Protection Force, Chennai - 600 003.

2.The Senior Divisional Security Commissioner,
Railway Protection Force, Chennai - 600 003.

3.The Divisional Security Commissioner,
Railway Protection Force, Trichy.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus directing the respondents to grant financial upgradations to the petitioners on completion of 30 years of service with effect from 08.05.2020 as envisaged under the Modified Assured Career Progression Scheme and grant them all Consequential benefits.

For Petitioners	:	Mr.P.Manoj Kumar
For Respondents	:	Mr.P.T.Ram Kumar

O R D E R

Mr.P.T.Ramkumar, learned standing counsel accepts notice on behalf of the respondents. By consent of both parties, this writ petition is taken up for final disposal at the time of admission itself

2. This writ petition has been filed by the petitioners seeking for a direction to the respondents to grant them, the third financial upgradations as they have completed 30 years of service with effect from 08.05.2020 as envisaged under the Modified Assured Career Progression Scheme.

3. Heard Mr.P.Manoj Kumar, learned counsel for the petitioners and Mr.P.T.Ramkumar, learned Standing counsel for the respondents.



4. It is the case of the petitioners that they are all the employees of the respondent Railway Protection Force and that, they have had the benefit of financial upgradation for 10 years and 20 years of service, but despite their completion of 30 years of service, the respondents have not granted the financial upgradation for 30 years of service period. Hence, they have given a representation on 06.01.2020 to the respondents seeking financial upgradation for completion of 30 years of service. According to them, till date the said representation has not been considered on merits and in accordance with law.

5. Mr.P.T.Ramkumar, learned standing counsel for the respondents would submit that no such representation was received by the respondents, till date. He would also on instructions submit that on receipt of a fresh representation from the petitioners, the respondents are willing to consider the same on merits and in accordance with law.

6. After recording the submissions made by the respective counsels, this court directs the petitioners to give a fresh representation to the first respondent seeking for financial upgradation for completion of 30 years of service within a period of two weeks from the date of receipt of a copy of this Order. On receipt of the same, the first respondent shall consider the same and pass final orders on merits and in accordance with law within a period of four weeks thereafter.

7. With the aforesaid direction, this writ petition is disposed of. No costs.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

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To

1.The Principal Chief Security Commissioner,
Railway Protection Force, Chennai - 600 003.

2.The Senior Divisional Security Commissioner,
Railway Protection Force, Chennai - 600 003.



3.The Divisional Security Commissioner,
Railway Protection Force, Trichy.

+1cc to Mr.P.Rajendran, Advocate, Sr.No.32563

+1cc to Mr.P.T.Ramkumar, Advocate, Sr.No.32190

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AK(CO)
KKV/30/07/2021