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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.20750 of 2021

(Through Video Conferencing)

S.Seeralan

... Petitioner

Vs

1.The Director General of Police,
Tamil Nadu Police Department,
Mylapore, Chennai - 600 004.

2.The Tamil Nadu Special Police Team,
Ty. PRS Regimental Centre,
Vaishnavi Nagar,
Avadi, Chennai.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to fix the petitioner's seniority on par with his batch mates recruited in the year 2009-2010 in the light of the proceedings passed by the first respondent in his proceedings C.No.3362/Rect 1(2)/2016, dated 11.11.2016 based on his representations made to the first respondent dated 19.02.2020 and 10.09.2020 in person through proper channel.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.L.S.M.Hasan Fizal
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2.Though the petitioner had otherwise qualified in the year 2011, his appointment as a Grade II Police Constable was delayed on account of the medical reasons. Eventually the petitioner was appointed as a Grade-II Police Constable only on 19.09.2015. The grievance of the petitioner is that he has lost seniority.



3.It is the case of the petitioner that the petitioner is to be treated on par with his batchmates as appointment of the petitioner was held up primarily on account of the delay by the respondents and the petitioner was not responsible for the same.

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4.The learned counsel for the petitioner submits that the Hon'ble Madurai Bench of this Court has also considered a similar issue by its order dated 03.01.2019 in W.P.(MD).No.25132 of 2018 in the case of N.Karupasamy Vs. The Director General of Police, Tamil Nadu Police Department, Mylapore, Chennai and another and granted relief.

5.It is submitted that the petitioner had also sent a representations dated 19.02.2020, 01.09.2020 and 10.09.2020 to the respondents which has not evoked any response from the respondents.

6.This writ petition is therefore disposed by directing the respondents to pass appropriate orders on the representations dated 19.02.2020, 01.09.202 and 10.09.2020 respectively of the petitioner within a period of eight weeks from the date of receipt of a copy of this order. While passing order, the respondent shall consider the decision before the Madurai Bench of this Court in W.P.No.25132 of 2018 dated 03.01.2019 in the case of N.Karupasamy Vs. The Director General of Police, Tamil Nadu Police Department, Mylapore, Chennai and another. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Director General of Police,
Tamil Nadu Police Department,
Mylapore, Chennai - 600 004.

2.The Tamil Nadu Special Police Team,
Ty. PRS Regimental Centre,
Vaishnavi Nagar,
Avadi, Chennai.

+lcc to Mr.G.Thalaimutharasu, Advocate Sr.50284
+lcc to the Government Pleader Sr.50486

W.P.No.20750 of 2021

BS(CO)
srg 10/11/2021