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C.M.P(MD) No.9640 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.M.P. (MD) No.9640 of 2017

in

W.A(MD) SR.No.39009 of 2017

and

W.A(MD) SR.No.39009 of 2017

P.Lakshmi Praba

.. Petitioner/Appellant

Vs

1. The Director General of Police,
Kamarajar Salai, Chennai - 4.

2. The Joint Commissioner of Police,
Office of the Commissioner of Police,
Chennai.

3. P.Kulasekara Manthira Selvi

... Respondents/Respondents

Prayer in C.M.P(MD).No.9640 of 2017: This petition is filed under Section 5 of the Limitation Act, to condone the delay of 206 days in filing the above appeal.

Prayer in W.A(MD).SR.No.39009 of 2017: Appeal under Clause 15 of the Letters Patent, against the order dated 05.01.2017, passed in W.P. (MD) No.1056 of 2008.

Prayer in WP(MD). 1056/ 2008 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Rc.No. R&T (1) /37/91578/2007 dated 27/12/2007 on the file of the respondent no. 2 and quash the same as illegal and consequentially directing the respondent No. 1 to appoint the petitioner as Sub Inspector of police (Women) with consequential benefits.



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For Petitioner : Ms.Kanimozhi
For respondents : Mr.R.Baskaran,
Standing Counsel for
Government
for R1 and R2
Mr.G.Thiruvarutselvan for R3

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Ms.Kanimozhi, learned counsel appearing for the petitioner; Mr.R.Baskaran, learned Government Counsel appearing for the respondents 1 and 2 and Mr.G.Thiruvarutselvan, learned counsel appearing for the third respondent.

2. There is a delay of 206 days in filing the writ appeal against the order dated 05.01.2017 in W.P(MD).No.1056 of 2018. The petitioner challenged her non-selection to the post of Sub Inspector of Police in a recruitment which was conducted in the year 2007. The petitioner claims that she should have been selected under the Sports Quota. The writ petition was dismissed in the year 2016 and there is a delay of 206 days in filing the writ appeal.

3. We have perused the affidavit filed in support of this condone delay petition and we find that there is no proper explanation for the delay. That apart, at this juncture, to issue any direction for a selection which was conducted in the year 2007, is not feasible. That apart, there are several subsequent selections had also been conducted. Furthermore, the notification provides for reservation for Most Backward Community, even in the Sports Quota.

4. Therefore, the petitioner has not made out any ground to condone the delay. Accordingly, this Miscellaneous Petition is dismissed. Consequently, the connected W.A(MD).SR.No.39009 of 2017 is rejected at the S.R. stage itself. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

1. The Director General of Police,
Kamarajar Salai, Chennai - 4.

2. The Joint Commissioner of Police,
Office of the Commissioner of Police,
Chennai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-23834[F] dated
26/07/2021)

C.M.P. (MD) No.9640 of 2017
23.07.2021

SSS(CO)
LR (06.08.2021) 3P 4C