



WP.No.16833 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13.10.2022

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

WP.No.16833 of 2012
and MP.No.1 of 2012

T.Sam Andrews

... Petitioner

Vs.

1.The Secretary to Government,
Home Department,
Fort St.George,
Chennai-600 009.

2.The Director General of Police/Chairperson,
Tamilnadu Uniform Services Recruitment Board,
Chennai-600 002.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the 2nd respondent in his proceedings in RC No.D1/337/2012 dated 13.03.2012 and to quash the same, consequently to issue appointment order as Sub-Inspector of Police for 1994-95 to the petitioner.

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For Petitioner : No Appearance
For R1 : No Appearance
For R2 : Mrs.D.Sowmidattan
Standing Counsel for TNUSRB

ORDER

Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the 2nd respondent in his proceedings in RC No.D1/337/2012 dated 13.03.2012 and quash the same, consequently to issue appointment order as Sub-Inspector of Police for the year 1994-95 to the petitioner.

2.When the case was listed on 27.07.2022, the learned counsel for both sides sought adjournment therefore the writ petition was listed on 29.07.2022, on that day, the learned counsel for the petitioner sought adjournment for two weeks. Further, when the case was listed on 23.09.2022 the learned counsel for the petitioner was absent and even today (13.10.2022) when the case is listed under the caption 'for dismissal' the learned counsel for the petitioner is absent.



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3. There is no representation for the petitioner. The learned counsel for the second respondent submitted that, this is a third round of litigation at the instance of the petitioner. The counsel submitted that in the 2nd round of litigation in W.P.No.30265 of 2007, the petitioner had prayed for similar relief and the same was rejected by this Court on 17.09.2007. The order passed in W.P.No.30265 of 2007 is extracted hereunder.

"since the selection was made long back, the petitioner cannot question that selection after lapse of several years. Even more so, the petitioner was found to be unfit for appointment to the post of Sub Inspector of Police, since the petitioner is having "Colour Blindness". In view of the said facts and circumstances of the case, I am not inclined to interfere with the order of the second respondent dated 14.08.2007. In the result, Writ Petition stands dismissed. Consequently, M.P.No.1 of 2007 is closed. No costs."

The learned counsel for the second respondent therefore submits that the writ petition deserves no merit.

In light of the above, it can be inferred that the petitioner is not interested in prosecuting the writ petition. It is further to be seen that the



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prayer in seeking appointment as Sub-inspector of Police for the year 1994-

95. I am therefore of the view that no purpose will be served by keeping the writ pending. The writ petition is therefore dismissed for non-prosecution. There shall be no order as to costs. Consequently connected MP. is closed.

13.10.2022

Speaking Order: Yes/No
dsn

To

1. The Secretary to Government,
Home Department,
Fort St. George,
Chennai-600 009.
2. The Director General of Police/Chairperson,
Tamilnadu Uniform Services Recruitment Board,
Chennai-600 002.

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N.MALA, J

(dsn)

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