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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.NO.1196 OF 2017

B.Velmurugan

... Petitioner

.Vs.

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

2. The Director General of Police,
Mylapore,
Chennai - 600 004.

3. The Chairman,
T.N. Uniformed Services Recruitment Board,
Anna Salai,
Chennai - 600 002.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to dispose of the representation of the Petitioner dated 19.12.2016 with regard to claim for appointment to the post of Sub-Inspector of Police under PSTM quota in the recruitment of Sub-Inspector (Men & Women) vide Notification No. 1/2015 and grant all consequential services and monetary benefits and grant such other further relief within time frame fixed by the Court.

For Petitioner : Mr.P.Arumugavel

For Respondents : Mr.P.Kumaresan
Additional Advocate General
Assisted by
Mr.P.Balathandayutham
Special Government Pleader
(for R1 & R2)



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and
M/s.D.Sowmi Dattan
Standing Counsel
(for R3)

O R D E R

Heard Mr.P.Arumugavel, Learned Counsel for the Petitioner and Mr.P.Kumaresan, Learned Additional Advocate General assisted by Mr.P.Balathandayutham, Learned Special Government Pleader appearing for the First and Second Respondents and Ms.D.Sowmi Dattan, Learned Standing Counsel appearing for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Respondents to dispose the representation dated 19.12.2016 made by the Petitioner with regard to his claim for appointment to the post of Sub-Inspector of Police under PSTM quota in the recruitment of Sub-Inspector (Men & Women) by Notification No.1/2015 and grant all consequential services and monetary benefits.

3. Learned Additional Advocate General appearing for the Respondents has brought to notice that the Petitioner had earlier challenged his non-selection to the same post in the Writ Petition in W.P. No. 23075 of 2015, which was dismissed by the Division Bench of the Court by order dated 03.11.2015 and has been confirmed by the Hon'ble Supreme Court of India by order dated 05.09.2016 in Special leave to Appeal (C) No. 224 of 2016 and thereafter, Review Application No. 40 of 2018 filed by the Petitioner was rejected by order dated 12.07.2019 and copies of the said orders have been placed on record.

4. At this juncture, reference must be made to the effects of finality of litigation as deduced from the authoritative pronouncements of the Hon'ble Supreme Court of India in M.Nagabhushana -vs- State of Karnataka [(2011) 3 SCC 408] and Union of India -vs- Major S.P.Sharma [(2014) 6 SCC 351], which can be summarized as under:-

- (a) The doctrine of finality of litigation is an outcome of two age old salutary principles of public policy, viz., interest reipublicae ut sit finis litium which signifies that it is in the interest of the State that there should be an end to litigation, and the other principle, viz., nemo debet bis vexari, si constat curiae



To

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+1cc to the Government Pleader, S.R.No.35934

W.P.NO.1196 OF 2017

MG(CO)
PBS/24/06/2022