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W.P.Nos.22392 to 22394 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.22392 to 22394 of 2017

P.Manonmani	...Petitioner in W.P.No.22392 of 2017
S.Prabhavathi	...Petitioner in W.P.No.22393 of 2017
D.Senthilkumari	...Petitioner in W.P.No.22394 of 2017

Vs.

1.The Secretary to Government,
Home (Police II) Department,
For St.George, Chennai – 9.

2.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 4.

3.The Additional Director General of Police
Administration,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 4.

..Respondents in all W.Ps

Common Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in connection with the seniority list published by him in Rc.No.16350/Rect.II(1)/2015 dated 22.06.2017 and quash the same in so far as the petitioner is concerned and direct the respondents to fix the seniority of



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the petitioner based on the total marks secured by the petitioner as per proviso to Rule 25(A) of the special rules for police subordinate service and accord proper placement in the A list and as well as in the seniority list published for the year 2001-02 and include her name in the C list of Sub-Inspectors fit for promotion as Inspector of Police for the year 2016-17 and grant her all consequential service and monetary benefits.

For Petitioners : Mr.K.Venkatramani
[in all W.Ps] Senior counsel
For M/s.M.Muthappan

For Respondents : Mr.P.Kumaresan
[in all W.Ps] Additional Advocate General
Assisted by Mr.S.Rajesh
Government Advocate

COMMON ORDER

The order dated 22.06.2017, communicating the seniority list of the petitioners is under challenge in the present writ petitions.

2. The petitioners participated in the process of selection for appointment to the post of Women Sub-Inspectors for the year 2001-02. The petitioners were selected and appointed. They underwent the training for a period of 2 ½ years and thereafter, posted at various places.



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3. The grievances of the writ petitioners are that they have completed the training programme and the marks were awarded for 9 subjects and no mark was awarded for the 10th Subject, which the petitioners have passed belatedly and non-inclusion of the marks secured by the petitioners in the 10th subject, resulted in denial of seniority as per their ranking secured in the examinations.

4. The learned Senior counsel appearing on behalf the petitioners contended that the marks are to be awarded to all the 10 papers passed by the petitioners. Admittedly, there was a delay in clearing one paper by the petitioners and such a delay could not cause any denial of seniority and ranking on par with the other candidates.

5. The learned Senior counsel appearing on behalf of the petitioners reiterated that the marks secured by the petitioners in the 10th Subject at later point of time were not added along with the other marks secured by the petitioners, enabling them to get placement above their juniors. Therefore, the



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petitioners are constrained to move the present writ petitions.

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6. The issue in nutshell raised by the petitioners are that the 10th subject marks were not added along with the marks secured by them in other 9 subjects, which resulted in denial of seniority and consequently, promotion on par with their juniors.

7. The learned Additional Advocate General appearing on behalf of the respondents submitted the files and made a submission that the marks secured by the petitioners in the 10th subject were also added along with the marks secured by them in other 9 subjects and the seniority in this regard was revised by the Department pursuant to the orders passed by this Court in W.P.No.1512 to 1517 of 2017 dated 20.01.2017.

8. Thus, the apprehension of the petitioners in this regard are incorrect. Based on the orders of this Court, the authorities have revised the seniority and published a new seniority list in proceedings Rc.No.168187/Rect 2 (1) / 2016 dated 19.07.2018. As per the above seniority list, the petitioners are



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placed in Sl Nos.437, 682 and 720 respectively. Thus, the grievances of the writ petitioners were considered by the competent authorities and a revised seniority list was published on 19.07.2018 and the marks secured by the petitioners in the 10th subject were also added and accordingly, rankings were granted to the petitioners with reference to the selection of the year 2001-02. In this regard, the written instructions given by the Director General of Police in letter dated 19.10.2022, reads as under:

“As per the existing rules and the direction of this Hon'ble High Court of Madras in its orders, dated 27.06.2017 in W.P.Nos.3620/2015, 1827/2015, 4355/2016, 9939/2016 and 2761 of 2017 to fixation seniority of the Women Sub-Inspectors recruited for the year 2001-2002, the seniority list published in this office proceedings in R.c.No.16350/Rect II (1)/2015 dated 22.06.2017 has been modified and fresh seniority list had been prepared after obtaining objections after consolidation of all objections after due considerations and communicated to all of them vide this office proceedings in Rc.No.168187/Rect 2 (1)/2016, dated 19.07.2018. In the above list the petitioner's seniority is fixed at Sl.No.437, 682 and 720. Accordingly, their name were included in the C List of Sub-Inspector of



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Police fit for promotion as Inspector of Police at S.No.168, 133 and 174 and also promoted as Inspector of Police vide this office proceedings in Rc.No.121390/NGB I (1)/2019, dated 21.11.2019. Since the request and the prayer of the petitioner have already been complied with by the department and nothing survives in this writ petition.”

9. In view of the facts and circumstances, no further consideration needs to be undertaken in respect of the grounds raised in the present writ petitions. If at all the petitioners are not aware of the seniority list published, they are at liberty to approach the competent authorities.

10. With this liberty, all the three writ petitions stand dismissed. No costs.

01.11.2022

Index : Yes
Speaking order: Yes
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To

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