



W.P.No.31093 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.11.2022

Coram:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.31093 of 2022

--

Kanaram Yadav

.. Petitioner

Vs.

1. The Senior Divisional Security Commissioner,
Railway Protection Force,
Chennai-3.

2. The Assistant Security Commissioner,
Railway Protection Force,
Arakonam.

3. The Inspector General-cum-Principal Chief
Security Commissioner,
Railway Protection Force,
Southern Railway, Chennai-3.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to draw and disburse the salary from January 2021 to November 2021 and also sanction Travelling Allowance for serving outside the headquarters from the month of May 2022 to till date as per the rules and also provide alternative employment in commensurate with the deformity sustained by the petitioner (de-categorised staff).

Page No.1/5



W.P.No.31093 of 2022

WEB COPY

For petitioner : Mr.K.Venkataramani, Senior Counsel for Mr.M.Muthappan

For respondents: Mr.A.Kumara Guru, SPC

ORDER

The grievance of the petitioner is that he has been de-categorised due to medical ailment and has not been able to perform his duties as before and thus has not been able to perform his duties as Inspector of Police, Railway Protection Force. Further, he has not been paid salary from the month of January 2021 and Travelling Allowance from May 2022 onwards. He has also been transferred from Chennai to Arakonam. As seen from the affidavit filed in support of this Writ Petition, due to the petitioner's mental illness, he has not been able to perform his duties as Inspector of Police. He has been de-categorised from January 2021, however, according to the learned counsel for the petitioner, the petitioner has not been paid salary from January 2021. It is further contended that his Travelling Allowance has also not been paid from May 2022 onwards. He has now been transferred from Chennai to Arakkonam. He has requested for alternative duty to the respondents, in view of his de-categorisation due to his medical ailment. The petitioner has given a representation dated 05.08.2022 to the respondents, requesting them to redress his grievance as stated supra. Since the said representation has not been considered till date, he has filed this Writ

Page No.2/5



W.P.No.31093 of 2022

Petition.

WEB COPY

2. Heard both sides and perused the materials available on record.

3. Since the said representation, dated 05.08.2022 does not cover all the grievances of the petitioner, which have been raised in this Writ Petition, the petitioner will have to give a fresh representation to the respondents. No prejudice would be caused to the respondents, if the representation of the petitioner is considered by them on merits and in accordance with law, within a time frame to be fixed by this Court.

4. Hence, this Court directs the petitioner to give a fresh representation to the respondents 1 and 3 to disburse his salary from January 2021 and also to sanction Travelling Allowance from May 2022 till date for serving outside the headquarters and also to provide alternative duty in view of his incapacity to do his duties as Inspector of Police in the Railway Protection Force due to his medical ailment, within a period of one week from the date of receipt of a copy of this order and on receipt of such a representation, the respondents 1 and 3 are directed to pass final orders on the said representation on merits and in accordance with law, within a period of eight weeks thereafter.

Page No.3/5



W.P.No.31093 of 2022

WEB COPY

5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

22.11.2022

CS

To

1. The Senior Divisional Security Commissioner,
Railway Protection Force,
Chennai-3.
2. The Assistant Security Commissioner,
Railway Protection Force,
Arakonam.
3. The Inspector General-cum-Principal Chief
Security Commissioner,
Railway Protection Force,
Southern Railway, Chennai-3.

Page No.4/5



WEB COPY



W.P.No.31093 of 2022

ABDUL QUDDHOSE, J

CS

W.P.No.31093 of 2022

22.11.2022

Page No.5/5