



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

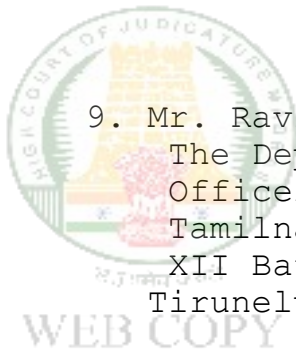
W.P. (MD) .No.3250 of 2021
W.M.P (MD) .No.2585 of 2021

Shanmugam

... Petitioner

Vs.

1. The Director General of Police,
Office of the Director General of Police,
Dr. Rathakrishnan Road,
Chennai.
- 2.The Additional Director General of Police,
Armed Police,
Office of the Additional Director General
of Police (Armed Police),
Chennai - 600 010.
- 3.The Inspector General of Police,
Armed Police, Chennai 600 010.
- 4.The Inspector General of Police,
Armed Police, Trichy 620 012.
- 5.The Deputy Inspector General of Police,
Office of the Deputy Inspector General of Police,
Armed Police,
Chennai-620012.
- 6.The Commandant
Office of the Commandant,
Tamilnadu Special Police Force,
XII Battalion, Manimuthar,
Tirunelveli District.
- 7.The Deputy Commandant
Office of the Deputy Commandant,
Tamilnadu Special Police Force,
XII Battalion,
Manimuthar, Tirunelveli District.
8. The Assistant Director
of Police, Tirunelveli.



9. Mr. Ravichandran,
The Deputy Commandant,
Officer of the Deputy Commandant,
Tamilnadu Special Police Force,
XII Battalion, Manimuthar,
Tirunelveli District.

10. Ulagammal,
Sub- Inspector of Police,
Tamilnadu Special Police Force,
XII Battalion, Manimuthar,
Tirunelveli District.

11. Sridhar
Sub - Inspector of Police,
Tamilnadu Special Police Force,
XII Battalion, Manimuthar,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, call for the records connected with the impugned order in Na.Ka.No.A1/2129/2020 dated 17.12.2020 issued by the Respondent no.6 and quash the same as illegal, consequently to direct the Respondent no.1 to 6 to reinstate the petitioner in Tamilnadu Special Police force, XII Battalion, Mandapam now at Manimuthar as "Dhoby" with all service benefits in accordance with law within the time stipulated by this Hon`ble Court.

For Petitioner : Mr.R.Alagumani

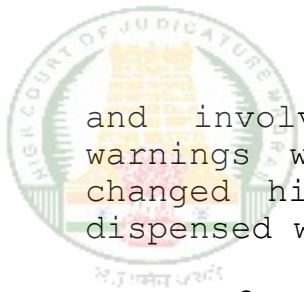
For Respondents 1 to 8: Mr.A.K.Manikkam
Special Government Pleader

Respondents 9 to 11 : NA

O R D E R

The petitioner was appointed as Dhoby in Tamil Nadu Special Police Force, XII Battalion, Manimuthar, Tirunelveli District. He was appointed in proceedings dated 05.10.2018 as consolidated pay employee. The order of appointment clearly stipulates that the appointment of the petitioner as consolidated pay employee is temporary and monthly pay of Rs.6,500/- was fixed. The order impugned dated 17.12.2020 was issued by stating that the petitioner was indiscipline, while performing his duties and responsibilities and he has caused dis-reputation to the police Department. He has refused to perform his duties and went on medical leave. Further, there is an allegation of insubordination to the Higher Authorities.

2. It is pertinent to note that the respondents have stated <https://hservices.ecourts.gov.in/hservices> on community basis, the petitioner has gathered many persons



and involved in other indiscipline activities. Several times warnings were issued. Inspite of that, the petitioner has not changed his attitudes. Therefore, the temporary appointment was dispensed with by the respondent and he was ousted from service.

3. The learned Special Government Pleader brought to the notice of this Court that the petitioner was hardly working as consolidated pay employee in the Police Department.

4. As far as the impugned order is concerned, the indiscipline which was noticed frequently by the Police Authorities resulted in ousting the services of the petitioner. The indiscipline of gathering group based on community and insubordination with the Higher Authorities are undoubtedly serious. This Court is of the opinion that when a temporary employee has committed certain serious indiscipline activities, more specifically, in Police Department, there is no infirmity as such in respect of the decision taken by the Police Authorities to oust the services of the writ petitioner. Furthermore, temporary employee has no right for continuance and the order of appointment reveals that the appointment on consolidated pay is purely temporary.

5. This being the factum, the petitioner has not established any acceptable ground for the purpose of interfering with the order impugned. Accordingly, the Writ Petition stands dismissed. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

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/ /2022

Sub Assistant Registrar(CS)

To

1. The Director General of Police,
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Dr. Rathakrishnan Road,
Chennai.

2.The Additional Director General of Police,
Armed Police,
Office of the Additional Director General of Police
(Armed Police),
Chennai - 600 010.

3.The Inspector General of Police,
Armed Police, Chennai 600 010.



4.The Inspector General of Police,
Armed Police, Trichy 620 012.

5.The Deputy Inspector General of Police,
Office of the Deputy Inspector General of Police,
Armed Police,
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XII Battalion, Manimuthar,
Tirunelveli District.

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Office of the Deputy Commandant,
Tamilnadu Special Police Force,
XII Battalion,
Manimuthar, Tirunelveli District.

8. The Assistant Director
District Employment Officer, Tirunelveli.

W.P. (MD) No.3250 of 2021
08.03.2022

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