



W.P.(MD)No.3992 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 3992 of 2014

and

M.P.(MD)No.2 of 2014

1. Deepak Kumar Kasture
2. P.Mayakrishnan
3. R.Muthukrishnan
4. A.Arumugam
5. K.Paramesh
6. K.Duraivelu
7. E.Saravana Kumar
8. N.Senthil
9. K.Ramamoorthy
10. M.Ramesh
11. Neela Lohit
12. M.Ananth
13. N.Kumar
14. Antony Jain
15. D.Rajkumar
16. A.Balachandar
17. C.Parthiban



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18. K.Selvendran
19. K.Mahendran
20. Rohi Tashan Jatav
21. C.Prasath
22. M.Ananda Sathyavan
23. T.Esakkimuthu
24. V.Muthiah
25. C.Raju
26. Raja Sekaran
27. T.Kathirvel
28. P.Karumbachalam
29. C.Sivakumar
30. T.Siva Chandran
31. R.Raj Kumar
32. M.Natarajan
33. Samayanathan
34. Prabhakaran
35. R.V.Senthil Kumar
36. Suresh Kumar
37. Sathya Seelan
38. S.Selventhiran
39. V.Sakthivel
40. P.Anbarasan
41. P.Atul Raj
42. P.Sivapirakasan



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43. M.Manmathan
44. A.Mariappan
45. Kuldeep Singh
46. R.Ponnu Durai
47. K.Thiyagarajan
48. S.Partaa Sarathy
49. N.Selvam
50. C.Nanthan
51. S.Rajesh
52. A.Arun Kumar
53. S.Gajendran
54. A.Raja
55. T.Vellimalai Prabu
56. J.Varatharajan
57. Murugan
58. Prabakaran
59. Prabhu
60. V.Senthil Murugan
61. M.Muniraj
62. R.Srinivasa Madhavan
63. P.Kathiresan
64. R.Sidharthan
65. S.Jaganathan
66. C.Manavalan
67. M.Ganesh Kannan



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68. R.Rajaskaran
69. N.Manian
70. S.Jaya Kumar
71. C.Srinivasan
72. C.Karunanithi
73. S.Kanagarajan
74. R.Masanam
75. S.Pandia Raja
76. G.Maheshwaran
77. M.Muniasamy
78. P.Jeyaraman
79. S.Senkuttuvan
80. V.Praveen Kumar
81. V.Sathish
82. A.Naveen Kumar
83. M.Sasikumar
84. Silambarasan
85. Mohan Kumar Yemineni
86. P.Maharaja
87. K.Arun Kumar
88. D.Muthu Sankara Babu
89. R.Nedumaran
90. K.Pitchai
91. I.Jeyakumar
92. C.Rishi Kesan



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93. S.Sivathanu Pillai
94. R.Karuppaiah
95. Amrendra Kumar
96. T.Selva Kumar
97. R.Vinoth
98. J.Stalin
99. K.Mathikanthan
100. R.Arangasamy
101. N.Sathish Rajan
102. P.Nagaraju
103. P.Srinivasa Kumar
104. K.Dileep Kumar
105. AV.Vijayan
106. A.Syam Kumar
107. Santhosh Kumar Singh
108. S.Kathiresa Bharathi
109. T.Yesudhas
110. R.M.Yoganantham
111. M.Krishna Selvan
112. S.Raja Kumar
113. Ragnath Singh
114. S. Muthu
115. T.Karthikeyan
116. M.Sudhakar
117. K. Rajadurai



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118. T. Sreedharan
119. G. Vetrivel
120. M. Anandhasiva
121. P. Jayachandraiah
122. M.T. Raja
123. S. Nagamani Kandan
124. K. Kalimuthu
125. S.Jagatheessan
126. K.Thirumalai
127. K. Senthil Kumar
128. V. Kalaiarasan
129. S. Balakrishnan
130. P. Femilraj
131. S. Senthil Kumar
132. R. Charles
133. N. Sivamani
134. M. Bharathi Raja
135. C. Devakrishnan
136. P. Prakash
137. A. Suresh
138. A. Sathish
139. I. Jaya Sebastian
140. S. Guru
141. P. Ganesh Kumar
142. E.V. Guru Sankar



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143. Raju Keshavji Baujade
144. Dhas Rahul Abasaheb
145. R. Krishna Kumar
146. P. Sekar Nallahambi
147. J. Saravanan
148. R. Ganapathy
149. K. Bala Sankar
150. S. Peter Devadoss
151. R. Ramesh Kumar
152. M.Mahendra Selvan
153. K. C.Manikannan
154. V. Sasikumar
155. R. Yogaraj
156. P. Srinivasan
157. R.Anandha Kumar
158. Abhishesh Kumar Chaubey
159. T.Sathish Kumar
160. R. Ganesan
161. R. Venkateshwaran
162. V. Mariappan
163. A.S.Suresh
164. C. Sivashankara
165. R. Sivamuthu Kumaran
166. P. Prakash
167. Anuj Kumar



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168. Sohan Singh Chauhan

169. K. Ramesh

170. R.Ganesh

171. N. Thamizhanban

172. R. Anbu Raja

173. L Aribalan

174. V.K. Srinivasan

175. Rakesh Kumar

... Petitioners

Vs.

1. The Bharat Heavy Electricals Limited,
Rep. by its General Manager,
Human Resources Management,
Trichy -14.
2. The Executive Engineer,
Bharat Heavy Electricals Limited,
Trichy – 14.
3. The Director,
Human Resources,
Bharat Heavy Electricals Limited
Corporate Office,
Sirifort, New Delhi – 110 049.
4. The Director General of Police,
Tamil Nadu, Chennai – 4.
5. The Director General,
Central Industrial Security Force,
CGO Complex, Lodhi Road, New Delhi.



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6. The Director General,
Central Industrial Security Force,
CGO Complex, Lodhi Road, New Delhi.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Mandamus*, or any other appropriate writ, order or direction in the nature of Writ, directing the respondents 1 to 3 to give placement to the petitioners as Supervisory Grade of SB-I in SI equivalent to Assistant Officer HRD-II who have similar qualification and experience requirement in the office of 1st respondent organization with all attendant service benefits.

[Prayer amended as per order, dated 09.07.2014]

For Petitioners : M/S.M.V.Venkateseshan

For R-1 & R-2 : Mr.A.V.Arun

For R-4 : Mr.P.Thambidurai
Government Advocate

For R-3, R-5 & R-6: No Appearance

ORDER

This Writ Petition has been filed for issuing *Writ of Mandamus*, seeking direction to the respondents 1 to 3 to give placement to the petitioners, as Supervisory Grade of SB-I in S.I., equivalent to Assistant Officer HRD-II, who have similar qualification and experience requirement in the office of 1st respondent organization with all attendant service benefits.



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2. Heard M/S.M.V.Venkateseshan, learned counsel appearing for the petitioner and Mr.A.V.Arun, learned counsel appearing for the respondents 1 & 2 and Mr.P.Thambidurai, learned Government Advocate, appearing for the 4th respondent.

3. The writ petitioners are Ex-employees of CSF and other Armed Forces and Police personnels etc. The Writ petitioners have applied and participated in selection process and were selected. The respondents organization has provided offer of appointment, by fixing the scale of pay Rs.11,700-23,000. After receiving the offer, the petitioners have accepted and joined service. After completing four years of service, the petitioners have submitted a representation to the respondents organization claiming that there is a disparity in their pay comparing with the same cadre in the other organization.

4. The second claim of the writ petitioners is that they were posted as Worker Cadre inspite of posting them in Supervisor Cadre.



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5. The petitioners have relied on the notification issued in the Website during the selection process, wherein, it is stated that Lateral Entry/Experienced Persons.

6. The second evidence relied on by the petitioners is that the recruitment policy of the respondents organization. In Annexure, it is stated that the 'B' security services, the job requirement for the said post for the supervision of the other security officers. Based on these two grounds, the petitioners submitted their claim.

7. The respondents have submitted that, in the same recruitment policy, the petitioners were categorized under the induction level and level (3) in the recruitment policy. Nowhere, the respondents have stated that the petitioners were recruited in the “Supervisor cadre”. The work of the petitioners are to supervision, but it is induction level (3). Since the work has supervision, the



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name cannot be taken as “Supervisor Cadre.” In only indicates the job assigned to the petitioners.

8. In view of the aforesaid reasons, this Court finds no reason to interfere in the claim of the petitioners. If the petitioners claim is entertained, that will be interfering in the policy of the respondent organization. The Judicial review is limited in policy decision. There is no perversity in the policy decision.

9. Accordingly, this Writ Petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes
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To

The Director General of Police,
Tamil Nadu,
Chennai – 4.



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S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No.3992 of 2014**

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