



WEB COPY



W.P. No. 6119 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2023

CORAM

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

W.P. No. 6119 of 2023

M.Franklin Joseph

... Petitioner

-VS-

1. The Secretary to Government,
Home (Police II) Department,
Fort St George, Chennai – 9.
2. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 4.
3. The Additional Director General of Police,
Armed Police, Kilpauk,
Chennai – 10.
4. The Commandant,
TSP III Battalion,
Veerapuram, Chennai -55.

... 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 grant seniority to the petitioner at par with those who were selected and appointed in the process of selection for the year 2002-03 as Grade – II Police Constable in the light of the representation made by the petitioner dated 02.02.2022 and grant him all consequential service and monetary benefits.



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For Petitioner : Mr. K.Venkatramani, Senior Counsel
For Mr. K.Dhananjayan

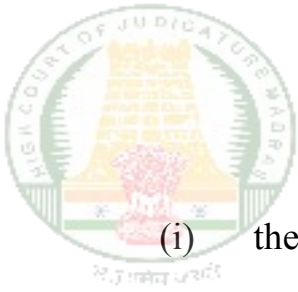
For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

Heard Mr. K.Venkatramani, Learned Senior Counsel appearing for the Petitioner and Mr.S.Rajesh, Learned Government Advocate appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 02.02.2022 to the Respondents to fix his seniority in the post of Grade - II Police Constable on par with those who were selected and appointed in the process of selection for the year 2002-2003, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-



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- (i) the concerned authority shall immediately examine the representation dated 02.02.2022 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and
- (vi) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.



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WEB COPY In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

06.04.2023

mp

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 05.06.2023.

To

1. The Secretary to Government,
Home (Police II) Department,
Fort St George, Chennai – 9.
2. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 4.
3. The Additional Director General of Police,
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Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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