



WEB COPY



W.P.No.24940 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.24940 of 2023

V.Vijayan

... Petitioner

Vs.

- 1.The State of Tamilnadu rep. by its
Additional Secretary,
Home Department,
Fort St.George,
Chennai-9
- 2.The Director of Prosecution,
Tamilnadu Urban Habitat
Development Board,
Annexe Building, 1st Floor,
No.5, Kamarajar Salai,
Chennai-5
- 3.The Deputy Director of Prosecution,
Salem
- 4.Saravanapoigai

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus directing the respondent 1 and 2 to appoint the petitioner to the post of Assistant Director of Prosecution at Krishnagiri, based on the seniority and experience as Additional Public



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Prosecutor based on the representation dated 03.05.2023.

For Petitioner : Mr.C.Prabakaran

For Respondents

For R1 to 3 : Mr.P.Balathandayutham,
Special Government Pleader

ORDER

This writ petition has been filed for direction to the first and second respondents to appoint the petitioner to the post of Assistant Director of Prosecution at Krishnagiri based on his seniority and experience.

2. The petitioner was appointed as Assistant Public Prosecutor Grade-II at Judicial Magistrate Court No.I, Mettur. The first respondent now created the post of Formation of Assistant Director of Prosecution at Krishnagiri with supporting staffs under GO.Ms.No.326 Home (Courts-VI) Department dated 03.07.2023. Accordingly, the second respondent is taking steps to appoint an Assistant Public Prosecutor Grade-II to the said post. Though the petitioner stated in his representation dated 03.05.2023 as he is working as Additional Public



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Prosecutor at Dharmapuri, he did not even whisper in his affidavit about the same. That apart, there is no proof to show that the representation was received by the respondents.

3. However, the respondents are directed to fill up the post of Assistant Director of Prosecution at Krishnagiri based on seniority and experience of Additional Public Prosecutors.

4. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

24.08.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

1. Additional Secretary,
Home Department,
The State of Tamilnadu
Fort St. George,
Chennai-9
2. The Director of Prosecution,
Tamilnadu Urban Habitat
Development Board,
Annexe Building, 1st Floor,
No.5, Kamarajar Salai,
Chennai-5
3. The Deputy Director of Prosecution,
Salem
4. The Government Advocate,
High Court, Madras.

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