



W.P.No.16410 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2023

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16410 of 2017 and
W.M.P.No.17749 of 2017

Central Para Military Force
Ex – Servicemen Welfare Association
Represented by its President Mr.Mohamed Meera
Door Bo.24, Main Road, Rajiv Gandhi Nagar
Opp. To CRPF Camp
Avadi, Chennai – 600 065.

.. Petitioner

VS

1. The Union of India
Represented by its Secretary to Government
Ministry of Home Affairs
Police Division – II (Re-Settlement
& Welfare Directorate)
North Block, New Delhi – 110 001.
2. The Union of India
Represented by its Secretary to Government
Ministry of Defence
Department of Ex-Servicemen Welfare
New Delhi – 110 001.
3. M/s.Naveen V.K.Security Agency
Old No.198, New No.1/1, First Floor
Old Mahabalipuram Road
Sholinganallur, Chennai – 600 119.



W.P.No.16410 of 2017

WEB COPY

4. M/s.S.J.J.Security Agency
Shop No.10 & 11, No.24, Elohim Complex
HVF Road, SAP Colony
Avadi, Chennai 600 054.

5. The Manager
Salem Main Branch
Bank of Baroda
Salem (Coimbatore Regional Office)

6. The Manager
BHEL Township
Trichy 620 014
Tamil Nadu.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus, forbearing the fifth and sixth respondents from terminating members of the petitioner Association as per the annexure enclosed as Security Guard and retain the petitioner as Ex-Central Armed Police Personnel as per the Office Memorandum dated 23.11.2012 issued by the first respondent till the petitioner attains the age of 65 and to pay all benefits.

For the Petitioner : Mr.K.Sivakumar

For the Respondents : Mr.K.Ramanamoorthy
Central Govt. Standing Counsel
for R1 & R2

No appearance for R3 and R4



W.P.No.16410 of 2017

Mr.M.Arunkumar
for M/s.Sampathkumar and
Associates
for R5

R6 not ready in notice

ORDER

The writ of mandamus has been filed to forbear the fifth and sixth respondents from terminating members of the petitioner Association as per the annexure enclosed as Security Guard and retain the petitioner as Ex-Central Armed Police Personnel as per the Office Memorandum dated 23.11.2012, issued by the first respondent till the petitioner attains the age of 65 and to pay all benefits.

2. The petitioner is Central Para Military Force Ex – Servicemen Welfare Association. Their members are engaged by the respondents 3 and 4 for providing security services. During the relevant point of time, the petitioner, under the apprehension that they will be terminated, filed a writ petition. Almost five and a half years lapsed and service conditions prevailing is to be followed in the process of initiation of action against the



W.P.No.16410 of 2017

WEB COPY

persons who are engaged by the respondents 3 and 4.

3. However, the writ to forbear the respondents from terminating the members of the petitioner Association at large cannot be granted. More so, appointment and termination is an indigenous process. If any indigenous person is aggrieved, then, the aggrieved person can also approach the competent authority or Court of law.

4. With these observations, the writ petition is dismissed. There will be no order as to costs.

Index : Yes/No
Neutral Order: Yes/No

24.03.2023

drm



W.P.No.16410 of 2017

WEB COPY

To:

1. The Secretary to Government
The Union of India
Ministry of Home Affairs
Police Division – II (Re-Settlement
& Welfare Directorate)
North Block, New Delhi – 110 001.
2. The Secretary to Government
The Union of India
Department of Ex-Servicemen Welfare
New Delhi – 110 001.
3. The Manager
BHEL Township
Trichy 620 014
Tamil Nadu.



WEB COPY



W.P.No.16410 of 2017

S.M.SUBRAMANIAM,J.

(drm)

W.P.No.16410 of 2017

24.03.2023