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W.P.Nos.888 & 900 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.Nos.888 & 900 of 2020

1.K.Rajaraman ... Petitioner in W.P.No.888 of 2020

2.S.Selvamani ... Petitioner in W.P.No.900 of 2020

Vs.

1.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai 600 004.

2.The Commissioner of Police,
Chennai City, Chennai. ... Respondents in W.P.No.888 of 2020

1.The Government of Tamil Nadu,
Rep by its Secretary to Home Department,
Fort St.George,
Chennai 600 009.

2.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai 600 004.

3.The Superintendent of Police,
Ariyalur District, Ariyalur. ... Respondents in W.P.No.900 of 2020

Prayer in W.P.No.888 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 to revise and regularise the service seniority and



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give the notional promotion and revise the pension with monetary benefits equal to the post of Sub Inspector of Police Rank to the petitioner on the basis of the implementation order passed to one D.Thangapandiyan SSI, S.Michel Antony SSI, R.Paul Durai SSI and their proceedings C.No.A1/12265/2013, R.O.O.No.141/2015 dated 27.03.2015 and on the basis of the petitioner's representation dated 01.03.2018.

Prayer in W.P.No.900 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 2 and 3 to revise and regularise the service seniority and give the notional promotion and revise the pension with monetary benefits equal to the post of Inspector of Police Rank from the date of retirement to the petitioner on the basis of the implementation order passed to one D.Thangapandiyan SSI, S.Michel Antony SSI, R.Paul Durai SSI and their proceedings C.No.A1/12265/2013, R.O.O.No.141/2015 dated 27.03.2015 and on the basis of the petitioner's representation dated 06.08.2019.

In both W.Ps

For Petitioners : Mr.A.Rajaram

For Respondents : Mr.S.Arumugam, GA

COMMON ORDER

These Writ Petitions have been filed for the issuance of a Writ of Mandamus, to direct the respondents concerned to revise and regularise



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the service seniority and give the notional promotion and revise the pension with monetary benefits equal to the post of Sub Inspector of Police Rank and Inspector of Police Rank to the petitioners respectively on the basis of the implementation order passed to D.Thangapandiyan SSI, S.Michel Antony SSI, R.Paul Durai SSI and their proceedings C.No.A1/12265/2013, R.O.O.No.141/2015 dated 27.03.2015 and on the basis of the petitioners' representations dated 01.03.2018 and 06.08.2019.

2. Heard Mr.A.Rajaram, learned counsel for the petitioners and Mr.S.Arumugam, learned Government Advocate for the respondents in both Writ Petitions.

3. The learned counsel for the petitioners submitted that similar such issue has already been dealt by this Court in W.P.(MD) No.17111 of 2019 dated 02.03.2022 and hence the issue has already been covered.

4. The order of this Court passed in W.P.(MD) No.17111 of 2019 dated 02.03.2022, is extracted as below:



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“The grievance of the writ petition about fixation of seniority for the post of Special Sub Inspector.

2.The issues raised by the petitioner regarding the fixation of seniority was denied and the Hon'ble Division Bench of Madurai Bench of Madras High Court, passed an order on 22.03.2017 in Rev.Aplc (MD)Nos.72 of 2015 etc batch. The case of the writ petitioner was considered based on the judgment passed by the Hon'ble Division Bench of this Court. However, the petitioner made a submission that the said order has been taken by way of Special Leave Petition before the Hon'ble Supreme Court in SLP No.6986 of 2018 and now it is subjected before the Hon'ble Apex Court of India.

3.However, this Court is of the opinion that in the event of disposal of the Special Leave Petition by the Hon'ble Supreme Court of India, if any benefit is granted, therefore, the petitioner is at liberty to claim the same based on the judgment to be passed by the Hon'ble Supreme Court of India.

4.With these observations, this writ petition is disposed of. No costs.”



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5. Since the above judgment is squarely applicable to the case in hand, I feel it is appropriate to grant the same relief to these petitioners also.

6. In the result, these Writ Petitions are disposed. If any benefit is granted in the event of disposal of SLP No.6986 of 2018, the petitioners are at liberty to claim the same based on the judgment to be passed in SLP No.6986 of 2018 by the Hon'ble Supreme Court of India. No costs.

26.02.2024

Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

To

- 1.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai 600 004.
- 2.The Commissioner of Police,
Chennai City, Chennai.



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3.The Secretary to Home Department,
Fort St.George,
Chennai 600 009.

4.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai 600 004.

5.The Superintendent of Police,
Ariyalur District, Ariyalur.

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