



W.P.No.1798 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

CORAM

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

**W.P.No.1798 of 2021**

S.Raja

... Petitioner

Vs.

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

2.The Additional Director General of Police(Administration)  
Dr.Radhakrishnan Salai,  
Mylapore, Chennai 600 004.

... Respondents

**Prayer :** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to fix the seniority of the petitioner at serial No.116, in the seniority list of directly recruited Sub Inspector of Police, Armed Reserve for the year 2006, published by him on 18.09.2018, by adding the supplementary marks of 479.5 obtained by the petitioner together with his first attempt marks of 497.92.

For Petitioner : Mr.B.Jawahar

For Respondents : Mr.T.Chezhiyan, AGP

**ORDER**



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This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the second respondent to fix the seniority of the petitioner at Serial No.116, in the seniority list of directly recruited Sub Inspector of Police, Armed Reserve for the year 2006 on 18.09.2018, by adding the supplementary marks of 479.5 obtained by the petitioner together with his first attempt marks of 497.92.

2. Heard Mr.B.Jawahar, learned counsel for the petitioner and Mr.T.Chezhiyan, learned Additional Government Pleader for the respondents.

3. The petitioner was recruited as Sub-Inspector of Police in the year 2006 through direct recruitment and he joined police training on 18.01.2008. The petitioner was suspended on 18.12.2008, while he was in training period and it was revoked on 31.12.2008. In the mean time, final examinations were conducted but the petitioner has appeared for only six examinations and secured 497.92 marks. Based on the said marks, his seniority is fixed at S.No.392. However he appeared for the subsequent supplementary examination in respect of the subjects for which he has not



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appeared earlier and his total marks have risen up to 977.42 marks.

Hence, the petitioner gave a representation to the second respondent to re-fix his seniority by adding the marks obtained by the petitioner in supplementary examinations as well. Similar such candidates have been given with the benefit of getting their seniority re-fixed except this petitioner.

4. If the petitioner's seniority has to be fixed only in accordance with the earlier marks obtained by him excluding the subjects for which he has written the examination, there is no necessity to allow him to write the supplementary examination and attend the subjects for which he has not appeared earlier. Having allowed him, it is not fair on the part of the respondents not to consider the marks obtained by him in supplementary examination. If similarly placed person was given with the benefit of re-fixing the seniority by taking into account the marks obtained in the supplementary examination, the said benefit shall be extended to the petitioner as well. Therefore, a direction should be given to the respondents to consider the marks obtained by the petitioner in the supplementary examination for the purpose of re-fixing his seniority. The



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petitioner's representation in this regard has not been considered so far.

Hence, I feel a suitable direction should be given.

5. In the result, this Writ Petition is disposed. The second respondent is directed to fix the seniority of the petitioner by adding the marks obtained by him in the supplementary examination and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. No costs.

**21.03.2024**

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



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WEB COPY

To

- 1.The Director General of Police,  
Dr.Radhakrishnan Salai,  
Mylapore, Chennai 600 004.
  
- 2.The Additional Director General of Police(Administration)  
Dr.Radhakrishnan Salai,  
Mylapore, Chennai 600 004.



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**R.N.MANJULA, J.**

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