



W.P.No. 2909 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.2909 of 2023

P. Inbarani

.. Petitioner

Versus

1. The Commissioner of Police,
Greater Chennai
Ponnamallee High Road, Chennai – 600 007.

2. The Additional Commissioner of Police,
HQRS, Greater Chennai Police,
Chennai.

...Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus in the form of the writ to direct the Respondents to allot quarters to the petitioner in Cochin House and pass orders.

For Petitioner
For Respondents

: Mr.S. Illamvaludhi
:Mr.Yogesh Kannadasan
Special Government Pleader



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ORDER

This petition is filed to issue a Writ of Mandamus in the form of the writ to direct the Respondents to allot quarters to the petitioner in Cochin House and pass order

2. The facts of the case are that the petitioner is working as a Head Constable in the Police Department and housing quarters was allotted to the petitioner and she was residing in the Mansion Quarters. While so, the residents in the quarters were directed to vacate the premises. Further more they are all directed to apply for new quarters/Cochin House through online and the petitioner also applied for the same. When this being the case the petitioner was transferred on deputation to Chennai Airport for Security. The grievance of the petitioner is that inspite of the fact that allotment was made to her in Cochin House, the respondents informed that she is not entitled to get the new quarters/Cochin House, due to the fact that her services come under the strength of Airport Security. Hence, this petition.



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3. The learned counsel for the petitioner submitted that the petitioner was sent to Chennai Airport on deputation only and her parent Department is Chennai City Police only and she has every right to avail the cochin quarters. It is further submitted that the petitioner serve only under the State Government and also receiving the Salary from the State Government . Hence, prays to allow this petition.

4. *Per Contra* the learned special Government Pleader appearing for the respondents filed a counter affidavit, wherein they have stated that since the petitioner herein was relieved from the Sate Police and joined in Bureau of Immigration Government of India, on deputation, she has been directed to vacate the Police Quarters. Though the Parent unit of the petitioner is Greater Chennai Police, she is not eligible to continue in the Police Quarters of State government after relieved from the State Services. It is further stated that when Police Personnel and Officer transferred to Government of India on deputation, they should vacate the Police Quarters of the State Government and apply for Central Government quarters. It is also pertinent to note that as the petitioner



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joined the Bureau of Immigration, Government of India, on deputation she will be drawn higher pay. They further state that while the petitioner was working in Greater Chennai Police, she has applied for Police Quarters on 15.07.2016 she was allotted Police quarters, since, she has gone to Bureau of Immigration, Government of India on deputation, she is not eligible to continue in Police Quarters belonging to State Government. Hence, prays to dismiss this petition.

5. Heard both sides and perused the materials available on record.

6. On a perusal of records it is made clear that the respondents have responded to the representation of the petitioner. On a reading of the counter affidavit filed by the respondents, this Court observed that the respondents has acted as per the existing Rules.

7. Considering the facts of the case it is made clear that the contentions of the petitioner is devoid of merits and the same cannot be accepted by this Court.



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8. In view of the above facts it is made clear that there is no merits in the submissions made by the petitioner and this petition deserves to be dismissed. Accordingly this petition is dismissed. No order as to costs.

05.11.2024

Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
smn

To

1. The Commissioner of Police,
Greater Chennai
Ponnamallee High Road, Chennai – 600 007.

2. The Additional Commissioner of Police,
HQRS, Greater Chennai Police,
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V.BHAVANI SUBBAROYAN, J.

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