

(2011) 08 KAR CK 0082

In the Karnataka High Court

Case No : Writ Petition No's. 29278-29310 of 2011

Sri D. Chandrashekar and Others

APPELLANT

Vs

The State of Karnataka

RESPONDENT

Date of Decision : 09-08-2011

Acts Referred:

Citation : (2011) 08 KAR CK 0082

Hon'ble Judges : A.S. Bopanna, J

Bench : Single Bench

Judgement

A.S. Bopanna, J.—Learned Government Advocate to accept notice for Respondents No. 1 to 4 and file memo of appearance in four weeks.

Heard the Learned Counsel appearing for the parties and perused the petition papers.

2. The Petitioners are before this Court claiming that they are working in the Karnataka State Reserve Police. In addition to the other services rendered by them, it is contended that their services were utilised by inducting them in Special Task Force ("the STF" for short) which was constituted for the specific and sole purpose of capturing the forest brigand Veerappan in M.M. Hills in Chamarajanagar. The Petitioners contend that they were also the Serving Personnel among the 754 members of the STF, who were involved in the operation which ultimately resulted in killing of Veerappan on 18.10.2004. The ease of Petitioners is that the Respondents by their circulars which are produced along with the writ petition had announced rewards for the person who had served in the STF. In this regard, it is also the contention of the Petitioners that when the same had not been complied with by the Respondents, certain other members of the STF approached this Court by filing W.P. 19957/2009 seeking a direction for allotment of sites. The said petition was disposed of on 21.07.2009. The further proceedings relating to the same in the contempt matters is also referred to. The Petitioners further contend that the said issue had arisen for consideration before this Court and this Court after considering the same in the

case of K. Ningaraju and Others Vs. The State of Karnataka, had issued directions with regard to the manner in which the circulars are to be implemented. It is also contended that they are similarly placed Police Personnel as that of the persons to whom benefits have been extended and therefore, the Petitioners have also made representations seeking benefit of the reward as per their representations as at Annexures-F1 to F33. The grievance of the Petitioners is that the Respondents have neither considered the representations nor have rewarded the Petitioners. Therefore, appropriate directions are to be issued to the Respondents.

3. Learned Government. Advocate would state that at the outset, the Respondents would have to verify the correctness or otherwise of the details stated in the representations as at Annexures-F1 to F33 and consider as to whether the Petitioners are similarly placed as that of the persons to whom the circulars would apply and also whether they are entitled to the benefit that has been extended by this Court in the cited decision. It is only after recording a finding on that aspect of the matter, the further consideration of the representations would arise and the said exercise in any event would have to be undertaken by the Respondent.

4. Taking note of the above and considering the fact that the representations as at Annexures-F1 to F33 have been submitted only during the month of July 2011 by the Petitioners and even assuming that the Petitioners have made representations earlier, the fact as to whether the Petitioners are similarly placed as that of the personnel to whom the benefits have been extended is a matter which would have to be looked into by the Respondents. Therefore, at this stage, no positive direction could be issued in the instant petitions to direct the Respondents to grant the reward to the Petitioners.

5. However, an appropriate direction requires to be issued to the fourth Respondent to consider and dispose of the representations as at Annexures-F1 to F33 taking note of the claim made by the Petitioners and keeping in view the circulars of the Government as also the decision of this Court to which a reference has been made during the course of this Order.

6. Hence, the fourth Respondent to whom the representations have been made is directed to consider the same in accordance with law and intimate the Petitioners one way or the other as expeditiously as possible. To hasten the process of consideration, the Petitioners are granted liberty to file one more set of representations as at Annexures-F1 to F33 along with necessary supporting documents with the office of the fourth Respondent within a period of four weeks from the date of receipt of a copy of this order. The fourth Respondent on receipt of the same shall verify the case of the Petitioners and pass a well-reasoned order and intimate the Petitioners, the result of such consideration of the representations made in accordance with law as expeditiously as possible, but not later than three months from the date of receipt of a copy of this order along with the copies of the representations.

With the above directions, these petitions stand disposed of. No order as to costs.