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**S.M.SUBRAMANIAM,J.**

The learned Additional Advocate General appearing on behalf of the respondents-State made a submission that the Director General of Police, Tamil Nadu issued a memorandum on 05.08.2022, instructing the Police officials to strictly follow the Government Orders and the interim orders passed by the High Court against the usage of Police personnels for household works. The memorandum was issued on 05.08.2022 and in this regard, the learned Additional Advocate General brought to the notice of this Court that 19 Police personnels were withdrawn and put on regular departmental duties.

2. This Court is aware of the fact that large number of uniformed Police personnels are still performing household and menial works in the residences of the higher Police officials and the instructions issued by the Government at the first instance in Letter No.37131/Police X/2022-2, dated 16.06.2022, has not been followed scrupulously by the Police department. The Director General of Police, except by issuing memorandum, has not



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ensured that the uniformed Police personnels are withdrawn from the residences of the Police officials.

3. Mere communication and inter-departmental communications are insufficient. Implementation of the orders of the Government is of paramount importance. Once the Government issued an order, it is needless to state that the Police department has to follow it scrupulously, failing which, they are liable to be prosecuted under the Service Rules. The effective administrative control of the Government departments is the Constitutional mandate.

4. We, the people of India, are celebrating 75<sup>th</sup> year of Independence. It is painful to pen down that the colonial slavery system of extracting household and menial works in the residences of the higher Police officials are still prevailing in the State of Tamil Nadu. It is a slap on the Constitution and the Democracy of our great Nation. When we are progressing towards vibrant democracy, the higher Police officials in the State of Tamil Nadu are following the colonial slavery system of extracting household and menial



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works from the trained uniformed Police personnels. It is an issue to be considered seriously. Such uniformed trained Police personnels are performing the household and menial jobs in the residences of the higher officials at the cost of the tax payers' funds. Public has a right to question the mindset of the higher officials.

5. Indian Constitution, its spirit, philosophy and ethos declares that every citizen of our great Nation is a "Queen or King". No public servant can imagine or live in a world of Mughal emperors and all such authorities under the Constitution are 'public servants' and they are bound to serve the public in accordance with the principles laid down in the Constitution and as per the Statutes and Rules enacted by the Parliament and the State Legislature. It is needless to state that indisciplined higher Police officials lose their morale in enforcing discipline in uniformed forces, more so, against their subordinate officials.

6. The Government of Tamil Nadu, pursuant to the Nationwide decision taken in the Hon'ble Chief Minister's conference, abolished the



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Orderly System on 05.09.1979 in G.O. (Ms.) No.2231 and unfortunately,

even after abolition, the practice is in force, despite the fact that the Principal

Secretary to Government, Home Department, issued a clear mandate, through his letter dated 16.06.2022, pursuant to the directions of this Court.

When the Government Orders are not followed scrupulously in its letter and spirit, an inference is to be drawn that higher Police officials are not functioning under the effective administrative control of the Government.

7. Thus, the following questions arise:-

(1) Whether the Government Order issued in order dated 16.06.2022 in the matter of abuse of Police force in the name of Orderly in the residences of the higher officials are completely withdrawn or not?

(2) Whether the illegal occupation of the Government accommodation by the higher Police officials have been dealt with or not?

(3) Whether the usage of black filons in the vehicles of the higher officials are completely banned or not?

(4) Whether the misuse of department's name in private vehicles are



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removed or not?

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8. The Director General of Police, in implementation of the orders of the Government, issued a memorandum to the officials. Even after a lapse of about two months, very few uniformed personnels were withdrawn from the household and menial jobs being performed in the residences of the higher Police officials.

9. It is the integrity of the Police department in question and the effective control of the Police department by the Government of Tamil Nadu.

10. Thus, the Director General of Police, Mylapore, Chennai - 600004 is suo moto impleaded as respondent in this Writ Petition, who in turn is directed to file an affidavit regarding the complete implementation of the orders of this Court and the order passed by the Principal Secretary to Government, Home Department.



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**WEB COPY** 11. This Court is of an opinion that the slavery system of engaging uniformed Police personnels in the residences of the higher officials must be abolished forthwith, failing which, this Court will have no option, but to opt for other course of action under the provisions of the Constitution of India.

12. The learned Additional Advocate General takes notice on behalf of the Director General of Police, Tamil Nadu, who is directed to file a status report/affidavit before this Court on or before 18.08.2022.

13. Registry is directed to list this matter on **18.08.2022** "for orders".

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**12.08.2022**

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