

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11-08-2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION Nos.17544 and 17545 of 2015

A.Gunananthan (SSI) .. Petitioner in
WP 17544/2015

S.Ramachandran (SSI) .. Petitioner in
WP 17545/2015

vs

- 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 Commissioner of Police
O/o. The Commissioner of Police
Coimbatore City, Coimbatore. .. Respondents in
both petitions

Writ petitions filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 2 and 3 to revise and regularise the service seniority and give further promotion with monetary benefits on par with the petitioner's batch mates' promotion for the post of Sub-Inspector of Police with retrospective effect from 2003 and further promotion for the post of Inspector of Police as per G.O.Ms.No.253 dated 12.3.2015.

For Petitioner (in both WPS) : Mr.A.Rajaram

For Respondents(in both WPS) : Mr.R.Vijayakumar
Additional Government Pleader

COMMON ORDER

By consent, both the writ petitions are taken up for final disposal.

2.The petitioner in W.P.No.17544/2015, would state that he was appointed as a Police Constable in Armed Reserve Police on 1.4.1981, and was promoted as Grade-I Police Constable on 25.7.1995, and was given further promotion as a Head Constable on 25.7.2000, and had completed 19 years of service and the promotions given to him,

were also belatedly given and he was promoted as a Special Sub-Inspector of Police on 1.8.2010, and thus he has put in a total service of 29 years.

3.The petitioner in W.P.No.17545/2015, would state that he was appointed as a Police Constable in Armed Reserve Police on 27.4.1981, and was promoted as Grade-I Police Constable on 25.7.1995, and was given further promotion as a Head Constable on 25.7.2000, and had completed 19 years of service and the promotions given to him, were also belatedly given and he was promoted as a Special Sub-Inspector of Police on 1.8.2010, and thus he has put in a total service of 29 years.

4.It is further contended by both the petitioners that there are three Government Orders viz. G.O.Ms.No.844, Home (Police.V) Department, dated 3.6.1997; G.O.Ms.No.1055, Home (Police.III) Department, dated 1.11.2006, and G.O.Ms.No.15, Home (Police.V) Department, dated 7.1.2010, governing the field, and they had submitted individual representations dated 10.10.2014, to the Assistant Inspector General of Police (Administration), Office of the Director General of Police, Chennai, praying for retrospective promotion as Special Sub-Inspector of Police, and since they have not been favoured with any response, came forward to file these writ petitions.

5.The learned Counsel appearing for the petitioners, would submit that in similar facts and circumstances, this Court has passed an order dated 9.11.2010, in W.P.Nos.19854, 19858 and 19976 of 2010 and the same was also complied with by issuing G.O.Ms.No.253, Home (Police-3) Department, dated 12.3.2015, and hence, prays for appropriate orders.

6.The Court heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader, who accepted notice on behalf of the respondents.

7.Though the petitioners prayed for a larger relief, this Court, in the light of the facts and circumstances, permits the petitioners to submit one more representation to the respondents 1 and 2 by enclosing a copy of this order as well as a copy of their earlier representations dated 10.10.2014, within a period of two weeks from the date of receipt of a copy of this order and the respondents 1 and 2 on receipt of the same, are directed to consider it on merits and in accordance with law, and pass orders thereon within a period of six weeks thereafter and communicate the decision taken, to the petitioners. The writ petitions are disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

To:

- 1.The Secretary to Government,
Home Department,
Secretariat, Chennai 600 009
- 2.The Director General of Police
Kamaraj Salai, Chennai 600 004
- 3.The Commissioner of Police,
Office of the Commissioner of Police,
Coimbatore City, Coimbatore.

+2 cc to Mr.A.Rajaram, Advocate, sr.42012

+1 cc to the Government Pleader, sr.42051.

W.P.Nos.17544 and
17545 of 2015

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