

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2015

Coram

The Hon'ble Mr. Justice D.HARIPARANTHAMAN

W.P.No.18234 of 2015

A.Rajendran

.. Petitioner

Vs.

1.The Director General of Police,
Chennai - 4.

2.The Commissioner of Police,
City Police Office,
Coimbatore City, Coimbatore - 18.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus directing the respondents herein to consider and pass orders on the petitioner's representation dated 20.04.2015 given to upgrade as Grade I Police Constable with effect from 01.07.1995, Head Constable with effect from 01.07.2000 and as Special Sub Inspector of Police with effect from 01.07.2010 with all consequential benefits, within a stipulated time.

For Petitioner ... Mr.Ravi Shanmugam

For Respondents ... Ms.M.E.Raniselvam,
Addl. Govt. Pleader

ORDER

The petitioner joined the Police service as Grade II Police Constable on 11.01.1982. He was promoted as Grade I Police constable on 28.10.1997. He was further promoted as Head Constable on 27.07.2002. His promotion from Grade I Police Constable to Head Constable was in pursuance of the policy decision of the Government to upgrade the Grade I Police Constable as Head Constable on completion of five years of service.

2.According to the petitioner, as per G.O.Ms.No.15 Home Department dated 07.01.2010, he should have been upgraded as Special Sub Inspector of Police on completion of ten years of service as Head Constable. Though the petitioner gave a representation dated 20.04.2015 seeking retrospective promotion in the post of Grade I

Police Constable, Head Constable and Special Sub Inspector of Police, the learned counsel for the petitioner has submitted that the petitioner would be satisfied if his claim for Special Sub Inspector of Police on completion of 10 years of service as Head Constable alone is considered as per G.O.Ms.No.15 Home Department dated 07.01.2010.

3.I am of the view that no one can claim retrospective promotion and the Government Order giving upgradation in Police Department is only for prospective promotion. However, now the learned counsel for the petitioner has restricted his claim for promotion to the post of Special Sub Inspector of Police on completion of ten years of service in Head Constable post, I am inclined to direct the second respondent to consider the case of the petitioner for promotion to the post of Special Sub Inspector of Police on completion of ten years of service as Head Constable, in the light of G.O.Ms.No.15 Home Department dated 07.01.2010. Accordingly, the second respondent is directed to pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Deputy Registrar (Judicial)

/true copy/

Sub Asst. Registrar

mmi

To

1.The Director General of Police,
Chennai - 4.

2.The Commissioner of Police,
City Police Office,
Coimbatore City, Coimbatore - 18.

1 cc to M/s.Ravi Shanmugam, Advocate, Sr. 31135
1 cc to Government Pleader, Sr. 31436

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