

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.No.18289 of 2015

S.Ramdas

... Petitioner

vs.

1. The Commissioner of Police,
Egmore, Chennai - 8.

2. The Joint Commissioner of Police,
West Zone, Ambattur,
Chennai - 58.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the claim of the petitioner for promotion as Sub-Inspector of Police by including his name in the "C" list of Head Constables / Special Sub-Inspector of Police fit for promotion as Sub-Inspector of Police (Local men) for the year 2014-15 and grant him all consequential service and monetary benefits at par with his juniors.

For petitioner : Mr.K.Venkataramani,
Senior Counsel,
for M/s.M.Muthappan

For respondents : Mr.S.Gunasekaran
Government Advocate

सत्यमेव जयते

ORDER

Mr.S.Gunasekaran, learned Government Advocate, takes notice for the respondents.

2. The petitioner is the Special Sub-Inspector of Police. His name was recommended for inclusion in the "C" list of Special Sub-Inspector of Police fit for promotion to the post of Sub-Inspector of Police for the year 2014-15. But, ultimately, his name was not included in the "C" list when the "C" list was published by the second respondent in his proceedings in Rc No.Estt-(2)/512/23548/2014 dated 31.12.2014. The reason for non-

inclusion of the petitioner's name in the "C" list is that he was facing a departmental proceeding in PR No.15/2013. The persons including the juniors who found place in the "C" list were sent for training on 16.2.2015.

3. While so, the disciplinary proceedings pending against the petitioner was dropped by the Deputy Inspector General of Police, Vellore in his proceedings in e/f/vz;/gp2-j/g/vz;/10-2015 dated 25.03.2015.

4. Since the petitioner made a representation to the respondents to include his name in the "C" list and also to send him for training for Sub-Inspector of Police, which has not been considered so far, the Writ Petition is filed seeking for a direction to the respondents to consider the claim of the petitioner for promotion as Sub Inspector of Police by including his name in the "C" list of Head Constables/Special Sub Inspector of Police fit for promotion as Sub Inspector of Police for the year 2014-15 and grant him all consequential service and monetary benefit on par with his juniors.

5. When the matter is taken up for hearing, the learned Senior Counsel has submitted that the petitioner would be satisfied if his representation dated 20.05.2015 is disposed of by the first respondent within a stipulated period.

6. The name of the petitioner was not included in the "C" list on the ground that he was facing a departmental proceeding in PR No.15/2013. As stated above, the departmental proceedings was dropped. Hence, the only impediment for inclusion of the petitioner's name in the "C" list was removed.

7. In these circumstances, the first respondent is directed to consider the representation of the petitioner in the light of the facts as stated above and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. With this direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

asvm

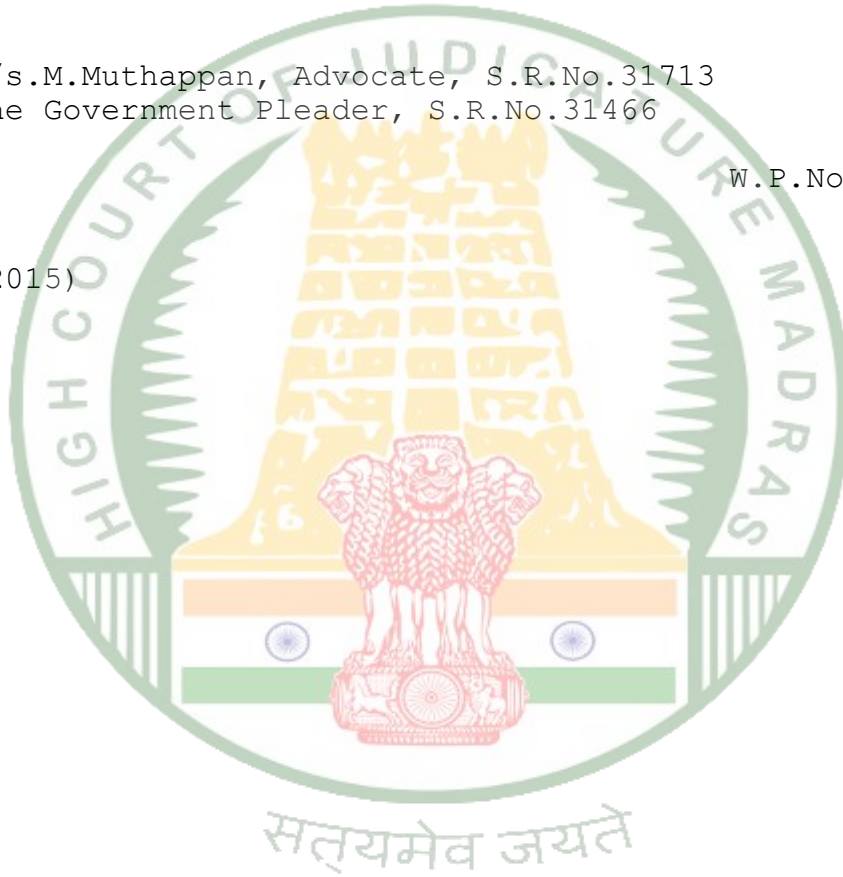
To

1. The Commissioner of Police,
Egmore, Chennai - 8.
2. The Joint Commissioner of Police,
West Zone, Ambattur,
Chennai - 58.

+1cc to M/s.M.Muthappan, Advocate, S.R.No.31713
+1cc to the Government Pleader, S.R.No.31466

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CA(CO)
CA(08/07/2015)



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