

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.22258 of 2015

K.Nagarajan

... Petitioner

Versus

- 1.The State of Tamil Nadu
Rep. By its Principal Secretary
Home Department (Pol.1)
Fort St. George, Chennai - 600 009
 2. The Director General of Police
Dr. Radhakrishnan Salai
Mylapore, Chennai - 600 004
 3. The Additional Director General of Police
Armed Police Headquarters
Kilpauk, Chennai - 600 010
 4. The Commandant
Tamil Nadu Special Police
XV Bn., Avadi, Chennai - 600 054
- ... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the respondents to give promotional avenues on par with the petitioner's junior and category personnel, particularly compliance of the order of this Court in W.P.No.31025 of 2006 (O.A.No.711/1998) dated 26.11.2008 and implementation of the G.O.Ms.No.1710, Home (Police -9) Department dated 23.11.2007 and consequently direct the respondents to effect the petitioner's due promotion on par with the petitioner's junior and category personnel and consequently release the arrears of monetary benefits available to the petitioner with retrospective effect ie., from the date of enlistment on 11.12.1979 till retirement on 31.10.2014 on the basis of the petitioner's representation dated 06.07.2015.

For Petitioner : M/s.R.Thanjan

For Respondents : Mr.K.Rajendraprasad
Govt. Advocate

O R D E R

By consent, the writ petition itself is taken up for final disposal.

2. When the writ petition was taken up for final disposal, the learned counsel for the petitioner has fairly submitted that the petitioner has already approached this Court with the similar prayer by filing W.P.No.31025 of 2006 and the same was disposed of on 26.11.2008 directing the respondents to consider his request.

3. Since the respondents did not consider and pass orders, the petitioner has again approached this Court with the same prayer.

4. In my view, the writ petition in the said circumstance is not maintainable. The course open to the petitioner is to file a contempt petition, if no order is passed and if any order is passed and the petitioner is aggrieved over the same, he can challenge the same in the manner known to law.

5. Accordingly, this writ petition is dismissed. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

gpa
To

1. The Principal Secretary
Home Department (Pol.1)
Fort St. George, Chennai - 600 009
2. The Director General of Police
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+2 ccs to Government Pleader, sr.38216, 38217.

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