

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.7.2015.

CORAM

THE HON'BLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.22401 of 2015

R.Jose Mary Stella Bai

Petitioner

vs.

- 1 The Secretary to Government  
Home (Police XV) Dept  
Fort St George  
Chennai - 9.
- 2 The Director General of Police  
Tamil Nadu Mylapore Chennai-4
- 3 The Deputy Inspector General  
Of Police  
Tamil Nadu Police Academy  
Chennai 600 127.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to revise the seniority of the petitioner in the cadre of Assistant at par with the petitioner's junior Suresh Kumar by including the petitioner's name in the C list of Assistant for the year 2004-05 and grant the petitioner all consequential service and monetary benefits.

For Petitioner : Mr.T.Ayngaraprabhu

For Respondents : Mrs.M.E.Rani Selvam, AGP

ORDER

Petitioner was appointed on compassionate ground as Typist on 3.1.2002. The service of the petitioner was regularized vide G.O. 4D No.42, Home Department, dated 24.5.2007 and her probation was declared with effect from 31.1.2002.

2. According to the petitioner, juniors to the petitioner were promoted as Assistant on 17.11.2004, but, the petitioner was promoted as Assistant on 5.7.2007. The third respondent sent proceedings in Rc.No.A1/4133/2013 dated 15.9.2013 to the second respondent recommending to include the petitioner in the C list of Junior Assistants for promotion to the post of Assistant for the year

2004-2005.

3. In the circumstances, the petitioner has approached this court to promote her by including her name in the C list of Junior Assistants for the year 2004-2005.

4. During the hearing of the writ petition, the learned counsel for the petitioner submitted that the second respondent could be directed to pass orders based on the recommendations made by the third respondent in Rc.No.A1/4133/2013 dated 15.9.2013 within a stipulated period.

5. In view of the narrow prayer made and in the light of the orders passed by this court in W.P.No.27349 of 2011 dated 16.8.2013 and W.P.No.959 of 2015 dated 5.6.2015, the second respondent is directed to consider the claim of the petitioner for inclusion of her name in the C list for promotion to the post of Assistant for the year 2004-2005 in the light of the recommendations made by the third respondent in Rc.No.A1/4133/2013 dated 15.9.2013 and in the light of the orders referred to above, within a period of twelve weeks from the date of receipt of copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-  
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

ssk.

To

- 1 The Secretary to Government  
Home (Police XV) Dept  
Fort St George Chennai - 9.
- 2 The Director General of Police  
Tamil Nadu Mylapore Chennai-4
- 3 The Deputy Inspector General Of Police  
Tamil Nadu Police Academy  
Chennai 600 127.

+1 cc to Mr.M.Muthappan, Advocate sr.37895  
+1 cc to Government Pleader sr.38206

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