

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28689 of 2015

K.Rajamanickam

... Petitioner

- Vs -

1.The Principal Secretary to Government,
Home Department,
Fort St. George,
Chennai 600 009.

2.The Director General of Police,
Chennai 600 004.

3.The Deputy Inspector General of Police,
Salem Range, Salem.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the second respondent herein to notionally promote the petitioner as Special Sub-Inspector of Police on completion of 25 years of service as per G.O.M.No. 15 Home (Police IV) Department dated 07.01.2010 and in the light of the Division Bench Judgement rendered in W.A.(MD) Nos.1506 of 2011 batch dated 17/06/2013 together all consequential monetary and service benefits based on the petitioners representation dated 27.06.2015 within a time frame to be fixed by this court.

For Petitioner : M/s.G.Bala and Daisy

For Respondents : Mr.V.Subbiah, Spl.G.P.

ORDER

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

2. The petitioner was appointed as Gr. II Police Constable on 15.09.1976 and subsequently, he was promoted as Gr.I Police Constable on 31.05.1998. Thereafter, he was further promoted as Head Constable on 31.05.2003. According to the petitioner, he has rendered 37 years of glorious service and he retired from service on 31.10.2013 on

attaining the age of superannuation.

3. It is stated by the petitioner that he is eligible to get notional promotion from the date on which he has completed 25 years of service and, in this regard, this court has passed judgements in W.A.(MD) No.1506 of 2011 dated 17.06.2013 and W.A.(MD) No.3030 of 2007 dated 04.12.2013 and when the State Government took up the matter on appeal, by order dated 14.07.2014 in S.L.P.No.19349 of 2014 the Hon'ble Supreme Court has confirmed the judgement of this court. According to the petitioner, as a matter of fact, some of the orders have already been implemented by the Government by orders in G.O.Ms.13, Home (Pol. V) Department, dated 06.01.2010 and G.O.Ms.15 Home (Pol. V) Department, dated 07.01.2010 respectively. The grievance of the petitioner is that though he made a representation dated 27.06.2015 in this regard to the respondents, no orders have been passed on the same and hence, he has no option except to approach this court by way of this writ petition for appropriate relief.

4. Heard both sides and also perused the records carefully.

5. Though the petitioner has prayed for a larger relief, this court, in the light of the above facts and circumstances, directs the 2nd respondent to consider the representation of the petitioner dated 27.06.2015 on merits and in accordance with law and pass appropriate orders thereon within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. The writ petition is disposed of with the above directions. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

सत्यमेव जयते
Sub Asst. Registrar

kmk

To

1.The Prl. Secretary to Government, Home Department, Fort St. George, Chennai 600 009.

2.The Director General of Police, Chennai 600 004.

3.The Deputy Inspector General of Police, Salem Range, Salem.

+1 cc to M/s.G.Bala and Daisy, Advocates, sr.49753

+_1 cc to Government Pleader, sr.49992

W.P.No.28689 of 2015

cnr co

kra 30/09