

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30156/2015

G.Ezhil Murugan

..

Petitioner

Versus

1. The Director General of Police
Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.

2. The Deputy Inspector General of Police
Kanchipuram Range, Kanchipuram. ..

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to consider the petitioner for promotion to the post of Inspector of Police and to promote him on par with his junior with all attendant service benefits.

For Petitioner : Mr.G.Ilamurugu

For RR 1 and 2 : Mr.R.Vijayakumar, AGP

O R D E R

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

2 The petitioner joined the services of the Tamil Nadu Police as Police Constable in the year 1986 and got promotion as Head Constable in the year 1988. The next avenue for promotion is to the post of the Sub Inspector of Police and the petitioner has also participated in the range promotion board test during the year 2004-2005 and the name of the petitioner was found place in the merit list as well as in the seniority list and got his promotion as Sub Inspector of Police on 11.05.2006. His probation in the said post was also declared in the year 2007.

3 The petitioner would further state that some of the Head Constables who were denied promotion on account of the pending disciplinary proceedings, filed WP.No.31221/2005 and it was allowed on 02.08.2010 by quashing the charge memos with a further direction to promote them on par with the juniors ; however there was no direction to the reverted persons who were already promoted and in

spite of it, the petitioner was reverted to the post of Head Constable vide order dated 29.10.2010. Challenging the said reversion order, the petitioner filed WP.No.25672/2010 and this Court, vide order dated 19.11.2010, disposed of the said writ petition with a direction to the respondents therein to consider the petitioner's representation within the stipulated time frame. Subsequent upon which, the petitioner was once again promoted as Sub Inspector of Police temporarily. It is further stated that similarly placed person, viz., Thiru Ramadoss, filed WP.No.34831/2013 and got favourable orders and though the petitioner was promoted as Sub Inspector of Police, he is continuing to languish in the post of Head Constable. The grievance now expressed by the petitioner is that his seniority is yet to be restored and in this regard, the petitioner submitted a representation dated 18.11.2014 to the respondents and since no orders have been passed, he came forward to file this writ petition.

4 Heard the submissions of the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

5 Though the petitioner has sought for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 18.11.2014 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5 The writ petition is disposed of accordingly. No costs.
AP

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Director General of Police
Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.

2. The Deputy Inspector General of Police
Kanchipuram Range, Kanchipuram.

+ 1 cc to Mr.G.Ilamurugu, Advocate SR 52277

+ 1 cc to Govt.Pleader SR 52431

ggk(co)

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