

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.Nos.31258 and 31259 of 2015

P.Manickam ... Petitioner in W.P.31258/2015

M.Subramanian ... Petitioner in W.P.31259/2015

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary to Government
Home Department Fort St. George Chennai-9.
 2. The Director General of Police
Kamarajar Salai Mylapore Chennai-4.
 3. The Deputy Inspector General of Police
Trichirappalli.
 4. The Superintendent of Police
Perambalur District Perambalur.
- ... Respondents in both W.Ps.

Common Prayer:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent and fourth respondent respectively, to consider and pass orders on the representation of the petitioner dated 31.08.2015 and 11.02.2010 made in C.No.A2/2939/2010 respectively.

For Petitioners : Mr.M.Baskaran

For Respondents : Mr.N.Srinivasan
Additional Government Pleader

C O M M O N O R D E R

By consent, the writ petitions are taken up for final disposal.

2. The petitioner in W.P.31258 of 2015 was appointed as Grade - II Police Constable on 11.08.1976 and was given up-gradation as Grade - I Police Constable with effect from 01.09.1994 and further up-gradation as Head Constable from 01.09.1999. The petitioner got promotion as Special Sub Inspector of Police with effect from 07.01.2010 and thereafter, the petitioner was promoted as Sub Inspector of Police and retired from service on attaining the age of superannuation on 28.02.2014.

3. The petitioner in W.P.31259 of 2015 was appointed as Grade - II Police Constable on 03.09.1980 and was given up-gradation as Grade - I Police Constable with effect from 24.11.1994 and further up-gradation as Head Constable from 25.11.1999. The petitioner got promotion as Special Sub Inspector of Police with effect from 07.01.2010 and thereafter, the petitioner was promoted as Sub Inspector of Police and retired from service on attaining the age of superannuation on 31.10.2014.

4. According to the petitioners, they are entitled to the benefits of G.O.Ms.No.15, Home (Police V) Department dated 07.01.2010 and in this regard has submitted a representation dated 31.08.2015 and 11.02.2010 respectively, to the second respondent to consider their plea for notional promotion and monetary benefits by applying the above said Government Order and since no response is forthcoming, came forward to file these writ petitions.

5. The learned counsel appearing for the petitioners would submit that in similar facts and circumstances, very many orders have been passed by this Court directing the concerned official respondent to confer the benefit of the said Government Order and in respect of persons similarly placed, the Deputy Inspector General of Police, Tirunelveli Range vide his proceedings dated 27.03.2015 has passed orders by taking into consideration the various orders passed by this Court and prays for appropriate orders.

6. This Court also heard the submissions of Mr.N.Srinivasan, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 4.

7. This Court taking into consideration the limited scope of the prayer sought for by the petitioners and without going into

the merits of the same, directs the second respondent to consider and dispose of the petitioners representation dated 31.08.2015 and 11.02.2010 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

8. These writ petitions are disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

pri

To

1. The Secretary to Government
Home Department Fort St. George
Chennai-9.
2. The Director General of Police
Kamarajar Salai Mylapore Chennai-4.
3. The Deputy Inspector General of Police
Trichirappalli.
4. The Superintendent of Police
Perambalur District Perambalur.

+1cc to Mr.M.Baskaran, Advocate, S.R.No.53759
+1cc to the Government Pleader, S.R.No.54075

W.P.Nos.31258 and 31259 of 2015

GJ(CO)
CA(19/10/2015)

WEB COPY