

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32499/2015

R.Sathiyamoorthy

..Petitioner

Versus

The Deputy Commissioner of Police,
Armed Reserve, Greater Chennai Police,
Egmore, Chennai - 600 008.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondent herein to consider and pass orders on the petitioner's representation dated 22.06.2015 for promotion as Grade I Police Constable with effect from 15.04.2007 and as Head Constable from 01.01.2014.

For Petitioner : Mr.Ravi Shanmugam

For Respondent : Mr.V.Subbiah, Spl.Govt.Pleader

ORDER

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

2. The petitioner joined the services of the Tamil Nadu Police as Grade-II Police Constable on 15.04.1997 and was transferred to Armed Reserve during the year 2000. The petitioner was dismissed from service on 29.09.2010 alleging unauthorised absence. The petitioner, challenging the legality of the order of dismissal, filed WP.No.34353/2014 and it was allowed by this Court on 17.02.2014 with a further direction directing the disciplinary authority to reconsider the punishment. Accordingly, the petitioner was reinstated in service on 03.07.2014 and the punishment was modified to one of postponement of increment for a period of three years with cumulative effect. According to the petitioner, the punishment can operate only between the period 2010-2012. It is the specific case of the petitioner that in terms of G.O.Ms.No.1681, Home Department, dated 12.10.1992 and G.O.Ms.No.844 of the same Department dated 03.06.1997, he has completed more than 10 years of service as Grade-II Police Constable and hence, he is entitled to be promoted as Police Constable Grade-I and subsequently, to be promoted as Head Constable in the year 2014 and in this regard, he has submitted a representation dated 22.06.2015 and since no orders have been passed, he came forward to file this writ petition.

3. Heard the submissions of the learned counsel for the petitioner and Mr.V.Subbiah, learned counsel for the Special Government Pleader who accepts notice on behalf of the respondent.

4. Though the petitioner has prayed 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 respondent to consider and dispose of the petitioner's representation dated 22.06.2015 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 petitioner.

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

AP

Sd/-
Assistant Registrar (1)

/True Copy/

Sub-Assistant Registrar

To

The Deputy Commissioner of Police,
Armed Reserve, Greater Chennai Police,
Egmore, Chennai - 600 008

+1 C.C. To MR.Ravishanmugam, Advocate in SR.NO.55866

W.P.No.32499/2015

SV(CO)

sd : 29/10/2015

सत्यमेव जयते

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