

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2015

CORAM:

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN

W.P.No.36614 of 2015

A.Maharajan

... Petitioner

Vs

1.Government of Tamil Nadu,
represented by the Secretary to Government,
Home (Police) Department,
Secretariat, Chennai 600 009.

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

3.The Deputy Inspector General of Police,
Kancheepuram.

4.The Superintendent of Police,
Tiruvallur.

...Respondents

Writ petition has been filed under 226 of the Constitution of India for the issuance of writ of Mandamus, to direct the respondents to grant service and monetary benefits consequent on the revision and advancement of the date of promotion of the petitioner from 19.04.1999 as 15.02.1999 and to grant notional promotion as Inspector of Police on par with the petitioner's juniors and to revise the petitioner's pensionary benefits on that basis.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

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

2.The petitioner filed this writ petition seeking a writ of Mandamus, directing the respondents to grant service and monetary benefits consequent to the revision and advancement of his date of promotion and to grant notional promotion as Inspector of Police on par with his juniors and to revise his pensionary benefits on that basis.

3. According to the petitioner, he was enlisted as Police Constable Grade-II on 11.07.1975 and after climbing the hierarchy of upgradation, he retired from service on 31.12.2009 on attaining the age of superannuation. Originally, the promotion of the petitioner as Sub Inspector of Police was ordered with effect from 19.04.1999 and subsequently, it was advanced to 15.02.1999 and his selection grade was advanced in the post of Sub Inspector of Police with effect from 15.02.2009. Consequently, his pay was refixed with effect from 15.02.1999, but his seniority in the post of Sub Inspector of Police was not revised. However, the seniority of his juniors, whose date of promotion was revised and advanced, was refixed and notional promotion as Inspector of Police was given to them vide G.O.(2D) No.237 Home (Police.3) Department dated 01.07.2011 and Proc.No.221458/NGB.1(2)/2011 dated 05.12.2011 of the Director General of Police, Chennai. Hence, the petitioner made representations to all the respondents. Since the same were not responded by the respondents, the petitioner is before this court.

4. Heard both sides.

5. Though the petitioner sought for larger relief in this writ petition, the learned counsel appearing for the petitioner submitted that it would be suffice, if the first respondent considers the petitioner's representation dated 16.09.2015 and pass orders within a reasonable time to be fixed by this Court.

6. The learned Special Government Pleader has no serious objection for granting such relief to the petitioner.

7. In view of the same and considering the facts and circumstances of the case, without going into the issue involved herein, this Court directs the first respondent to consider the representation of the petitioner dated 16.09.2015 and pass appropriate orders on merits and in accordance with law and also in the light of G.O.(2D) No.237 Home (Police.3) Department dated 01.07.2011, within a period of ten weeks from the date of receipt of a copy of this order.

8. The writ petition is disposed of with the above direction. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

rk

To

1. Government of Tamil Nadu,
represented by the Secretary to Government,
Home (Police) Department,
Secretariat, Chennai 600 009.

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

3. The Deputy Inspector General of Police,
Kancheepuram.

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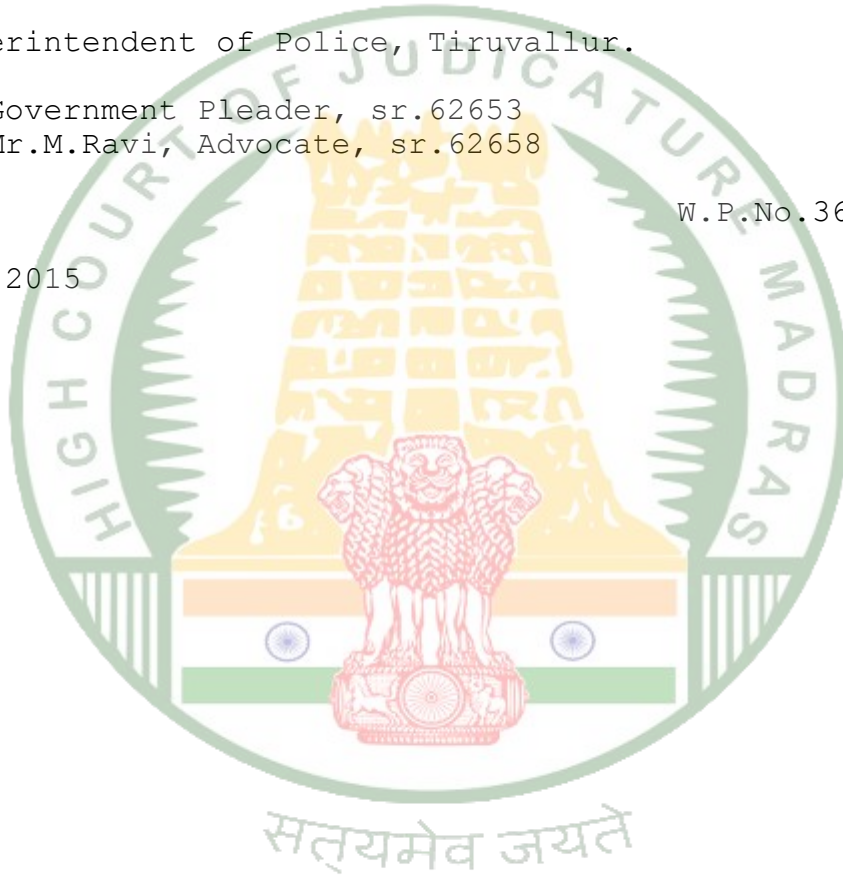
+1 cc to Government Pleader, sr.62653

+1 cc to Mr.M.Ravi, Advocate, sr.62658

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kra 07.12.2015



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