

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.17485 of 2007
(O.A.No.44 of 2004)

D.Thirupathy Venkatachalapathy

.. Petitioner

-vs-

1. Commissioner of Police
Egmore
Chennai 600 008

2. Superintendent of Police
District Police Office
Virudhunagar

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent herein in his proceedings D.O.1627/2003, C.No.A1(2)/17847/342/2002 dated 24.10.2003 and quash the same and consequently direct the respondents to upgrade the petitioner as Head Constable with all consequential service and monetary benefits.

For Petitioner :: Ms.P.Anitha for
M/s G.Bala

For Respondents :: Mr.R.Govindasamy
Additional Government Pleader

ORDER

Challenging the order of cancellation of upgradation passed by the second respondent in his proceedings bearing D.O.1627/2003, C.No.A1(2)/17847/342/2002 dated 24.10.2003 and to quash the same with a consequential direction to upgrade him as Head Constable with all service and monetary benefits on the ground that he ought to have been upgraded as Grade I Police Constable with effect from 29.12.97 and deserved to be further upgraded as Head Constable with effect from 29.12.2002, the petitioner filed O.A.No.44 of 2004 before the Tamil Nadu Administrative Tribunal, Chennai. Thereafter, the matter came on transfer and renumbered as W.P.No.17485 of 2007.

2. When the matter was taken up, the learned Additional Government Pleader for the respondents, placing on record the proceedings dated 15.12.2014 of the Superintendent of Police, Virudhunagar District in C.No.A1(2)/65861/2014, submitted that nothing survives in the writ petition, since the reliefs have been granted to the petitioner.

3. Paragraph-4 of the proceedings dated 15.12.2014 reads as under:-

''The currency period of the above punishment expired on 28.12.1997. Therefore, as per G.O.Ms.No.844 Home (Pol.V) Department dated 3.6.1997 and Government letter (D) No.769 Home (Pol.V) Department dated 28.7.2010, he was upgraded as Grade I Police Constable w.e.f. 1.1.1998. He was also upgraded as Head Constable w.e.f. 1.1.2003. Thereafter, as per G.O.Ms.No.15 Home (Pol.V) Department dated 7.1.2010, he was upgraded as Special Sub Inspector of Police w.e.f. 1.1.2013 on completion of 10 years of service as Head Constable. Therefore, there is no delay for giving his upgradations as Gr.I.Police Constable, Head Constable and Special Sub Inspector of Police.''

Recording the above proceedings, the writ petition is dismissed as infructuous, since the reliefs have been granted to the petitioner. No costs.

Sd/-

Asst.Registrar (AD I)

/true copy/

Sub Asst. Registrar

ss

To

1. The Commissioner of Police
Egmore
Chennai 600 008

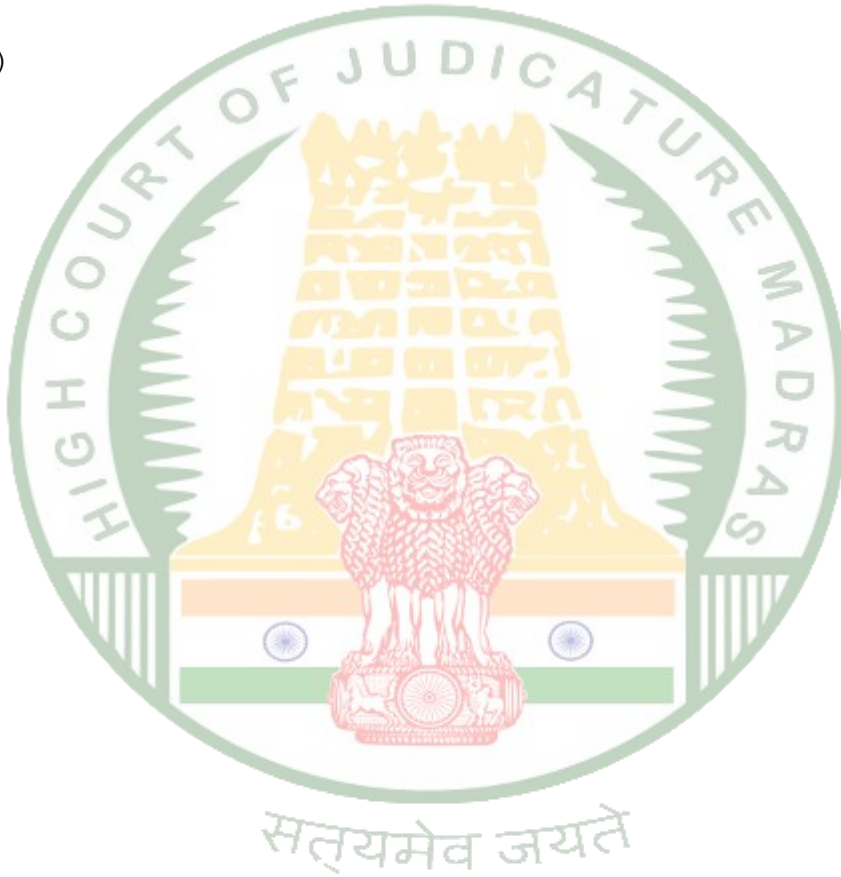
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2. The Superintendent of Police
District Police Office
Virudhunagar

1 cc to Government Pleader, sr. 11256

W.P.No.17485 of 2007
(O.A.No.44 of 2004)

KJI (CO)
kk 18/3



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