

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.06.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.1146 of 2016

K.Kayambu

.. Petitioner

Vs.

1.Secretary to Government,
Home Department.
Fort St.George, Chennai.

2.Director General of Police,
Chennai - 600 004.

3.Superintendent of Police [Railways]
Railway Police Office,
Chennai - 600 008.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to consider and pass orders on the petitioner's representation dated 21.08.2015, with regard to retrospective accelerated promotion to the post of Sub-Inspector of Police with effect from 04.01.1993 as done in the case of Periasamy and Ravichandran and also revision of his pension, on merits and in accordance with law.

For Petitioner : M/s.G.Bala and Daisy

For Respondents : Mr.K.Rajendra Prasad
Government Advocate

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents herein to consider and pass orders on the petitioner's representation dated 21.08.2015, with regard to retrospective accelerated promotion to the post of Sub-Inspector of Police with effect from 04.01.1993 as done in the case of Periasamy and Ravichandran and also revision of his pension, on merits and in accordance with law.

2.The petitioner joined service as Police Constable on 11.04.1977. He was promoted as Grade I Police Constable and as Head Constable. He was further promoted as Sub-Inspector and as

Inspector of Police in the year 2011 and he retired from service on 30.11.2011. While he was working at Egmore Railway Police Station in the year 1993, he had captured terrorists and averted a major disaster. According to the petitioner, for his courageous action, he was granted one stage accelerated promotion and the Inspector General of Police, had recommenced the case of the petitioner for grant of accelerated promotion with effect from 04.01.1993. It is his further contention that similarly placed persons have been granted retrospective accelerated promotions with effect from the date of the bravery and gallantry act done by them. The petitioner made a representation to the first respondent on 21.08.2015 but till date no orders have been passed and hence, the Writ Petition has been filed.

3.The learned counsel for the petitioner would submit that the petitioner has retired from service on 30.11.2011 and he is a senior citizen and hence, he would be satisfied, if his representation is directed to be considered and appropriate orders are passed as expeditiously as possible.

4.Mr.K.Rajendra Prasad, the learned Government Advocate for the respondents has got no serious objection for directing the third respondent, who is the competent authority to consider the representation of the petitioner and pass appropriate orders, on merits and in accordance with law.

5.Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the third respondent, to consider the representation of the petitioner, dated 21.08.2015, and pass appropriate orders, on merits and in accordance with law. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

6.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

sri

To

1.Secretary to Government,
Home Department.
Fort St.George, Chennai.

2. Director General of Police,
Chennai - 600 004.

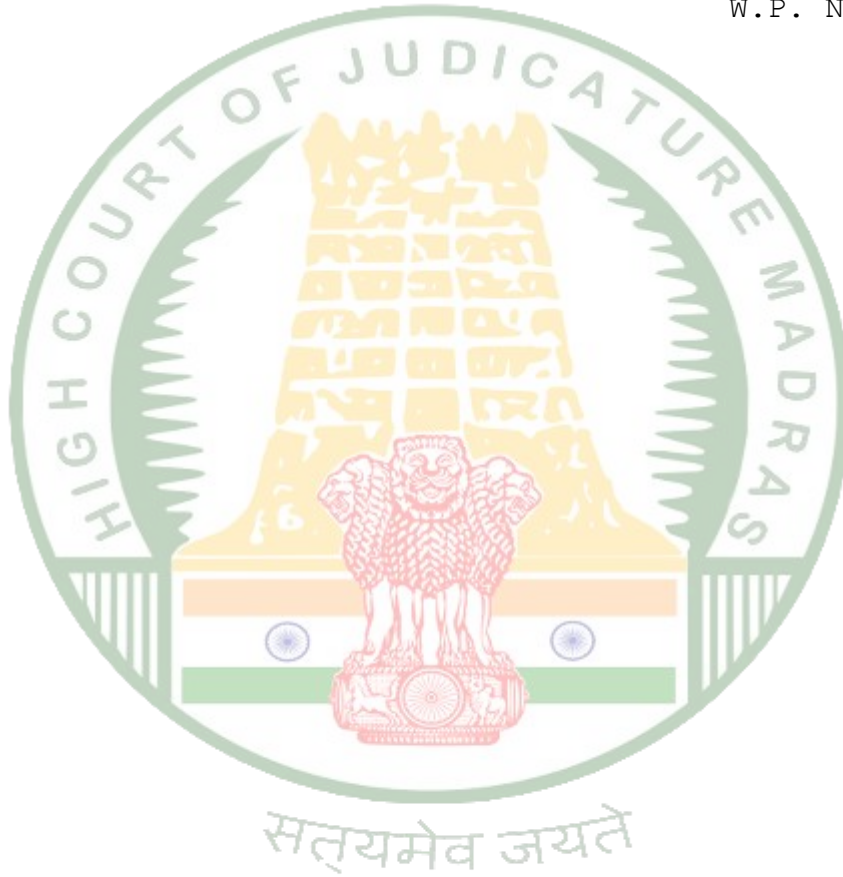
3. Superintendent of Police [Railways]
Railway Police Office,
Chennai - 600 008.

1 cc to Government Pleader, Sr. 30524

1 cc to M/s. G. Bala and Daisy, Advocate, Sr. 30333

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