

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.17078 to 17082 of 2016

M.Andal	... Petitioner in W.P.No.17078 of 2016
P.Malliga	... Petitioner in W.P.No.17079 of 2016
Rani	... Petitioner in W.P.No.17080 of 2016
M.Jayalakshmi	... Petitioner in W.P.No.17081 of 2016
Backiammal	... Petitioner in W.P.No.17082 of 2016

vs.

1. The Secretary to Government of Tamil Nadu,
Home (Police I) Department,
Fort St. George,
Chennai 600 009.
2. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai 600 004. Respondents

Writ petitions filed under Article 226 of the Constitution of India, praying for the issuance of Writs of mandamus directing the respondents 1 and 2 to consider the representations of the petitioners dated 15.04.2016 and promote the petitioners as Deputy Superintendent of Police immediately and fit for promotion of Sub-Inspectors of Police in the year 1997 itself and grant all consequential service and monetary benefits.

For Petitioner in all W.Ps. : Mr.C.Yokesh

For Respondents in all W.P.s : Mr.D.Suriya Narayanan,
Government Advocate

COMMON ORDER

Petitioners have come up with the above Writ Petitions seeking a direction to respondents 1 and 2 to consider their representations dated 15.04.2016 and promote them as Deputy Superintendent of Police, immediately and grant them all consequential service and monetary benefits.

2. As the issue involved in these Writ Petitions is one and the same, the Writ Petitions are taken up for disposal by a common order.

3. According to the petitioners, they are presently working as Sub-Inspectors of Police. The Government in its Letter Ms.No.725 Home (Pol.III) Department, dated 26.08.2002, issued orders for recruitment of 949 + 12 backlog women Sub-Inspectors of Police for the year 2001-2002. As per the notification approved by the Government in Letter No.108858/Pol.III/02 DT 31.10.2002, 570 posts are to be filled by direct recruitment; 94 seats are reserved for sports quota; 86 posts for the wards of the police personnel and 9 posts reserved for the wards of ministerial staff of the Police Department. The remaining 20% posts, i.e. 190 + 12 MBC backlog vacancies have to be reserved for departmental candidates as per the orders issued in G.O.Ms.No.1054, Home (Pol.III) Department, dated 13.07.1995.

4. Following the Government Orders and the Notification issued by Uniformed Services Recruitment Board, the petitioners applied for direct recruitment to the post of Women Sub-Inspectors under 20% quota (202 vacancies). The recruitment was conducted in the years 2002 and 2003 and after selection, the petitioners and others including directly recruited Women Sub-Inspectors were appointed to service by the orders of Director General of Police and all of them reported before the Police Training College, following an appointed order on 15.09.2004 for undergoing institutional training for a period of one year.

5. It is the case of the petitioners that they are fully qualified for inclusion of their names in the 'C' list of Head Constables fit for promotion as Sub-Inspectors of Police in the year 1997. However, no range promotion was conducted in Tamil Nadu from the year 1985 till 1995. The petitioners were promoted only as Head Constables for the year 2002 only. Even the range promotion board was conducted in the year 2000 and that benefit was also not availed by the petitioners, since the seniority list was not prepared in the Department properly. While so, the petitioners were promoted as Sub-Inspectors of Police in the year 2004 itself.

6. As the petitioners have officiated as Sub-Inspectors of Police by joining in the Police Training College, they are entitled to get their seniority from the date on which they were appointed to service. After undergoing institutional training for a period of one year, they underwent practical training for a period of six months and thereafter, successfully completed their probation and brought into 'B' List in the year 2007.

7. It is the grievance of the petitioners that they have attained sufficient seniority and merit for consideration of their claim for promotion to the post of Inspector of Police in the year 2007 itself and that some of the candidates, who are juniors to the petitioners were promoted as Inspectors of Police and ousted the rights of the petitioners. Hence, according to the petitioners, since they completed their service in the Department without any blemish, they seek promotion as Deputy Superintendent of Police. In that regard, they made a representation to the respondents on 15.04.2006, which is pending consideration. Having no other alternative, the petitioners have come up with the present Writ Petitions.

8. Heard the learned counsel on either side and perused the material documents available on record.

9. When the matter is taken up for consideration, learned counsel for the petitioners submitted that the respondents may be directed to consider the petitioners' representation dated 15.04.2016 and pass appropriate orders within a stipulated time.

10. In view of the above, without expressing any opinion on the merits of the case, respondents 1 and 2 are directed to consider the petitioners' representation dated 15.04.2016 on merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To:

1. The Secretary to Government of Tamil Nadu,
Home (Police I) Department,
Fort St. George, Chennai 600 009.

2. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.

+1 cc to Mr.C.Yokesh, advocate, sr.68993

+1 cc to Government Pleader, sr.69636

rsy(co)

krd 16/12

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