

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2016

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.9793 of 2013

S.Manuel

... Petitioner

Vs.

- 1.The State of Tamil Nadu
rep. by its Secretary to Government,
Home Department,
Secretariat, Fort St. George,
Chennai-600 009.
 - 2.The Director General of Police,
Chennai-600 004.
 - 3.The Deputy Inspector General of Police,
Ramanathapuram.
- ... Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, directing the respondents 1 & 2 to consider the petitioner's representation dated 11.12.2012 in accordance with the decision of this Court rendered in W.P.No.25043 of 2002 dated 18.09.2007 and in the light of G.O.Ms.No.1623, Home (Pol-V) Department, dated 12.12.2008 by refixing the petitioner's seniority with all consequential benefits.

For Petitioner : Mr.K.Rajasekaran
For Respondent : Mr.S.Gunasekaran
Nos.1 to 3 Additional Government Pleader

O R D E R

This Writ Petition has been filed by the petitioner seeking a Writ of Mandamus, directing the respondents 1 & 2 to consider his representation dated 11.12.2012 in accordance with the decision of this Court made in W.P.No.25043 of 2002 dated 18.09.2007 and in the light of G.O.Ms.No.1623, Home (Pol-V) Department, dated 12.12.2008 by re-fixing his seniority with all consequential benefits.

2.Heard Mr.K.Rajasekaran, learned counsel for the petitioner. Mr.S.Gunasekaran, learned Additional Government Pleader takes notice on behalf of the respondents 1 to 3.

3.The petitioner was selected and appointed as Police Constable Grade-II on 25.10.1984. After completing the training, he was posted to Motor Transport Wing. Thereafter, he was promoted as Police Constable Gr-I in the year 1997 and further, he was promoted to Head Constable on 22.07.2002. He is working as Special Sub-Inspector of Police in the Motor Transport Wing Since 2010 onwards. In the meanwhile, the petitioner came to know that the police constables posted to the Armed Reserve Unit were called to appear for test to prepare "C" List for promotion to the post of Head Constable etc., whereas the persons like that of the petitioner who were posted to Motor Transport Wing were not called for the test even though they were appointed on the same day. Therefore, the petitioner made several representations and the last representation sent by him was 11.12.2012 to the second respondent via proper channel. As the same was not considered by the respondents, the petitioner has come forward with the present writ petition.

4.The learned counsel for the petitioner submitted that the issue involved in this matter is squarely covered by the orders of this Court namely, W.P.No.24751 of 2009 dated 13.02.2012 and W.P.Nos.4155 to 4161 of 2009 dated 02.07.2009 and also in the light of the order of the Division Bench of this Court in W.P.No.25043 of 2002 dated 18.09.2007, wherein, allowing the said writ petitions, a direction was given to the respondents to consider the relief sought for by the petitioners therein and hence, the learned counsel pleaded for grant of a similar direction.

5.The learned Additional Government Pleader appearing for the respondents sought for eight weeks time to consider the petitioner's representation dated 11.12.2012.

6.Considering the submission made by the learned Additional Government Pleader, this Court directs the respondents 2 & 3 to consider the petitioner's representation dated 11.12.2012 in the light of the Division Bench order of this Court dated 18.09.2007 in W.P.No.25043 of 2002, as implemented by the Government in G.O.Ms.No.1623, Home (Pol-V) Department, dated 12.12.2008 and also in the light of the similar orders passed by this Court as stated supra, on merits and in accordance with law as expeditiously as possible, preferably, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

DP

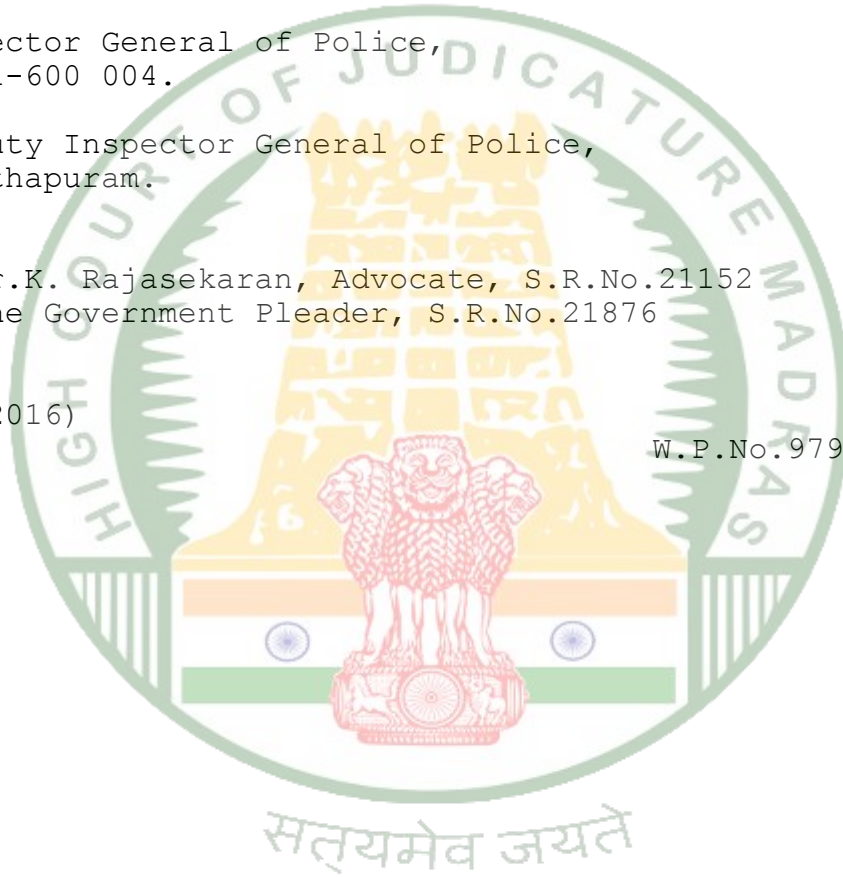
To

- 1.The State of Tamil Nadu
rep. by its Secretary to Government,
Home Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Director General of Police,
Chennai-600 004.
- 3.The Deputy Inspector General of Police,
Ramanathapuram.

+1cc to Mr.K. Rajasekaran, Advocate, S.R.No.21152
+1cc to the Government Pleader, S.R.No.21876

KJI (CO)
EU (25/04/2016)

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