

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07-06-2016

Coram

THE HON'BLE MR. JUSTICE B. RAJENDRAN

Writ Petition No.29123 of 2012
and M.P.Nos.1 and 2 of 2012

A.Sumathi

.. Petitioner

Vs.

1.The Director General of Police
Mylapore
Chennai-4.

2.The Commissioner of Police
Coimbatore City.

.. Respondents

Writ Petition filed under Article 226 of the constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent vide proceedings CPO : 1209/2012 C.No.F-1/44708/2012, dated 01.09.2012 and the subsequent Errattum Order vide proceedings CPO : 1233/2012 C.No. F1/44708/2012, dated 03.09.2012 and quash the same and consequently, to direct the respondents to promote the petitioner from the post of Sub-Inspector of Police to the post of Inspector of Police in accordance with the proceedings of the 1st respondent vide Rc.No.666/NGB.V(1)/P-25/'C' List/2012-3, dated 04.08.2012, with all the consequential benefits.

For Petitioner :Mr.A.D.Jagadish Chandira

For Respondents :Mr.A.Kumar
Special Government Pleader

* * *

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O R D E R

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent vide proceedings CPO : 1209/2012 C.No.F-1/44708/2012, dated 01.09.2012 and the subsequent Errattum Order vide proceedings CPO : 1233/2012 C.No. F1/44708/2012, dated 03.09.2012 and quash the same and consequently, to direct the respondents to promote the petitioner from the post of Sub-

Inspector of Police to the post of Inspector of Police in accordance with the proceedings of the 1st respondent vide Rc.No.666/NGB.V(1)/P-25/'C' List/2012-3, dated 04.08.2012, with all the consequential benefits.

2. The petitioner entered into service as Sub-Inspector, in 2000. The State Promotion Board was concluded on 04.08.2012 and her name was enlisted in the 'C' list and she has been promoted as Inspector of Railways. On 01.09.2012, on the orders of the 2nd respondent, the petitioner was placed under suspension as Sub-Inspector of Police. Since, she was placed under suspension, she was not given promotion. Hence, seeking the relief stated supra, the Writ Petition has been filed.

3. Mr.A.D.Jagadish Chandira, the learned counsel appearing for the petitioner, would submit that the petitioner has been kept under suspension for the post more than four years. He would further add that even in the criminal case filed against the petitioner, the charge sheet has not been filed. He would further point out that though, the prayer in this Writ Petition is for a larger relief, he is restricting his claim and he would be satisfied, if the petitioner is permitted to make a fresh representation seeking for review of the suspension order and in turn, the 2nd respondent may be directed to consider the same and pass appropriate orders, within a time frame.

4. Mr.A.Kumar, the learned Special Government Pleader, has got no objection for issuing the direction as sought for by the learned counsel for the petitioner.

5. Considering the submission of the learned counsel for the petitioner that though, the prayer sought for in this Writ Petition is for a larger relief, since, he is restricting his prayer, this Court, without going into the merits of the claim made by the petitioner, permits the petitioner to make a representation to the 2nd respondent seeking for review of the suspension order within 15 days from the date of receipt of a copy of this order, and on such representation being made for review of the suspension order, the 2nd respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order. 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. Consequently, connected Miscellaneous Petitions are closed. No costs.

-s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

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To

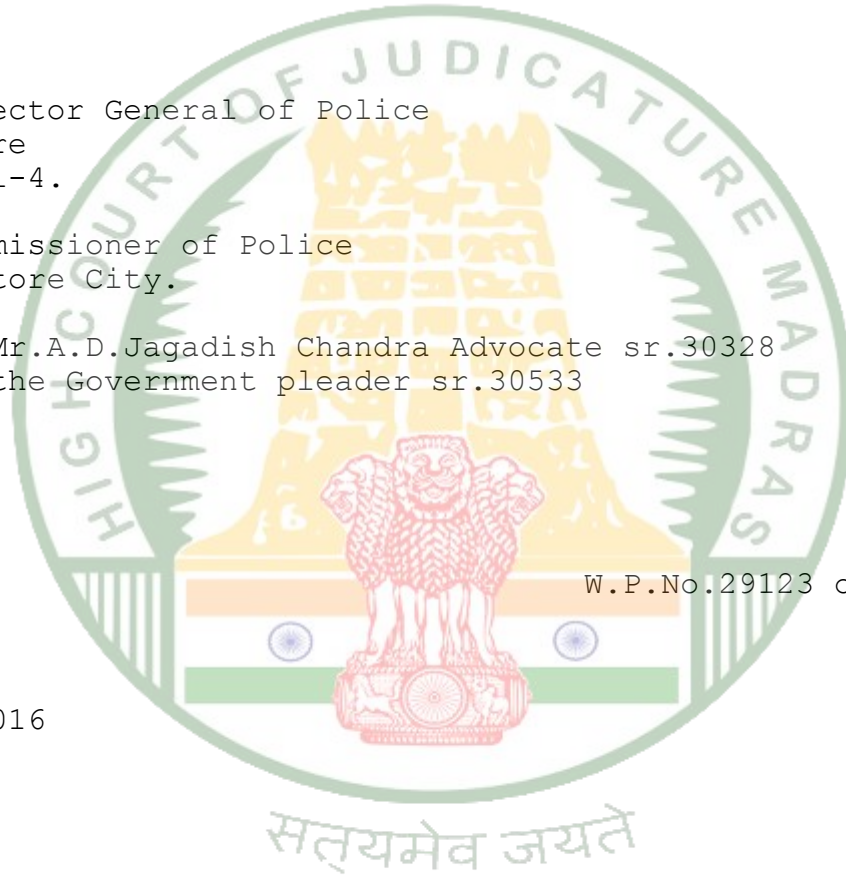
1.The Director General of Police
Mylapore
Chennai-4.

2.The Commissioner of Police
Coimbatore City.

+1 cc to Mr.A.D.Jagadish Chandra Advocate sr.30328

+1 cc to the Government pleader sr.30533

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W.P.No.29123 of 2012

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