

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.35147 to 35167 of 2016

R.AMUTHA	..PETITIONER in WP No.35147 of 2016
M.C.DHANABAKKIAM	..PETITIONER in WP No.35148 of 2016
P.INDIRA GANDHI	..PETITIONER in WP No.35149 of 2016
T.JAYALAKSHMI	..PETITIONER in WP No.35150 of 2016
D.MALARVIZHI	..PETITIONER in WP No.35151 of 2016
P.MARAGATHAM	..PETITIONER in WP No.35152 of 2016
S.SATHIAVANIMUTHU	..PETITIONER in WP No.35153 of 2016
V.VIJAYAKUMARI	..PETITIONER in WP No.35154 of 2016
P.MALLIGA	..PETITIONER in WP No.35155 of 2016
D.SENTHAMARAI	..PETITIONER in WP No.35156 of 2016
K.THILAKAVATHY	..PETITIONER in WP No.35157 of 2016
A.SAMIYATHAL	..PETITIONER in WP No.35158 of 2016
R.RAJESWARI	..PETITIONER in WP No.35159 of 2016
S.PADMAVATHY	..PETITIONER in WP No.35160 of 2016
T.AMUTHA	..PETITIONER in WP No.35161 of 2016
R.KAMALAM	..PETITIONER in WP No.35162 of 2016
N.VASUKI	..PETITIONER in WP No.35163 of 2016
C.MEKALA	..PETITIONER in WP No.35164 of 2016
K.SUMATHI	..PETITIONER in WP No.35165 of 2016
M.ANDAL ESWARI	..PETITIONER in WP No.35166 of 2016
S.UMA MAHESWARI	..PETITIONER in WP No.35167 of 2016

VS.

1 THE DIRECTOR GENERAL OF POLICE
TAMIL NADU CHENNAI 600004.

2 THE COMMISSIONER OF POLICE
GREATER CHENNAI CITY POLICE
CHENNAI 600010.

..RESPONDENTS in WP No.35147,
35148,35151/2016

1 THE DIRECTOR GENERAL OF POLICE
TAMIL NADU CHENNAI 600004.

..1st RESPONDENTS in WP No.35149,35150,
35152, 35153,35154, 35155,35156,
35157, 35158, of 2016

- 2 THE DEPUTY INSPECTOR GENERAL
OF POLICE SALEM RANGE SALEM.
..2nd RESPONDENTS in WP No.35149 of 2016
- 2 THE DEPUTY INSPECTOR GENERAL
OF POLICE TIRUCHIRAPALLI RANGE
TIRUCHIRAPALLI
..2nd RESPONDENTS in WP No.35150 of 2016
- 2 THE DEPUTY INSPECTOR GENERAL
OF POLICE RAMANATHAPURAM RANGE
RAMANATHAPURAM.
..2nd RESPONDENTS in WP No.35152 of 2016
- 2 THE COMMISSIONER OF POLICE
TIRUNELVELI CITY POLICE
TIRUNELVELI.
..2nd RESPONDENTS in WP No.35153 of 2016
- 2 THE COMMISSIONER OF POLICE
COIMBATORE CITY POLICE
COIMBATORE.
..2nd RESPONDENTS in WP No.35154, 35158,
of 2016
- 2 THE DEPUTY INSPECTOR GENERAL
OF POLICE VILLUPURAM RANGE
VILLUPURAM.
..2nd RESPONDENTS in WP No.35155 of 2016
- 2 THE DEPUTY INSPECTOR GENERAL
OF POLICE, VILLUPURAM RANGE
VILLUPURAM.
..2nd RESPONDENTS in WP No.35156 of 2016
- 2 THE DEPUTY INSPECTOR GENERAL
OF POLICE VILLUPURAM RANGE
VILLUPURAM
..2nd RESPONDENTS in WP No.35157 of 2016
- 1 THE DIRECTOR GENERAL OF POLICE
TAMIL NADU CHENNAI 600004.
- 2 THE COMMISSIONER OF POLICE
COIMBATORE CITY POLICE
COIMBATORE 600010.
..RESPONDENTS in WP No.35159,35160,
35161,35162, 35163,35164, of 2016

- 1 THE DIRECTOR GENERAL OF POLICE
TAMIL NADU CHENNAI 600004.
- 2 THE COMMISSIONER OF POLICE
TRICHY CITY POLICE TIRUCHIRAPALLI.
..RESPONDENTS in WP No.35165,35166,
35167 of 2016

Writ petitions filed under Article 226 of the constitution of India praying for issue of a writ of Mandamus;

WP No.35147 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently revise the date of promotion to the post of Inspector of police, so as to enable the inclusion of the petitioner's name in the appropriate place in the appropriate panel for promotion to the post of Deputy Superintendent of Police and for her promotion as such, and to grant all consequential benefits to the petitioner.

WP No.35148 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently revise the date of petitioner promotion to the post of Inspector of police, so as to enable the inclusion of the petitioner's name in the appropriate place in the appropriate panel for promotion to the post of Deputy Superintendent of Police and for petitioner promotion as such, and to grant all consequential benefits to the petitioner.

WP No.35149 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently revise the date of petitioner promotion to the post of Inspector of police, so as to enable the inclusion of the name of the petitioner's in the appropriate place in the appropriate panel for promotion to the post of Deputy Superintendent of Police and for petitioner promotion as such, and to grant all consequential benefits to the petitioner.

WP No.35150 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include petitioner's name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35151 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently revise the date of petitioner promotion to the post of Inspector of police, so as to enable the inclusion of the name of the petitioner's in the appropriate place in the appropriate panel for promotion to the post of Deputy Superintendent of Police and for petitioner promotion as such, and to grant all consequential benefits to the petitioner.

WP No.35152 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include of the name of the petitioner's in the appropriate place in the appropriate panel for promotion to the post of Inspector of police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35153 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently revise the date of promotion to the post of Inspector of police, so as to enable the inclusion of the name of the petitioner's in the appropriate place in the appropriate panel for promotion to the post of Deputy Superintendent of Police and for petitioner promotion as such, and to grant all consequential benefits to the petitioner.

WP No.35154 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to

consequently revise the date of petitioner promotion to the post of Inspector of police, so as to enable the inclusion of the name of the petitioner's in the appropriate place in the appropriate panel for promotion to the post of Deputy Superintendent of Police and for petitioner promotion as such, and to grant all consequential benefits to the petitioner.

WP No.35155 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include the name of the petitioner's in the appropriate place in the appropriate panel for promotion to the post of Inspector of police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35156 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include the name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35157 of 2016: directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include the name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35158 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of petitioner promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include the name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35159 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include the name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35160 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35161 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include petitioner name in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35162 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include of the name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35163 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include of the name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35164 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include of the name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35165 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.6.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include of the name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35166 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.4.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include of the name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

WP No.35167 of 2016: Directing the respondents herein to pass appropriate orders revising the date of promotion of the petitioner to the post of Head Constable, by upgradation as 1.3.1986 and the date of the petitioner's promotion to the post of Sub Inspector of police as 1.4.1996 and on that basis to consequently include of the name of the petitioner in the appropriate place in the appropriate panel for promotion to the post of Inspector of Police and to promote petitioner as such, and grant all consequential benefits to the petitioner.

For Petitioner : Mr.M.Ravi
in all the above WPs.

For Respondents : Mr.C.Jagadish,
Spl.Govt.Pleader
in all the above WPs.

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners have come up with the present writ petitions for a mandamus, directing the respondents to pass appropriate orders revising their date of promotion.

3. The case of the petitioners as could be seen in the affidavits filed in support of the writ petitions, in brief, is as follows:-

(a) All the petitioners were directly recruited as Women Police Constables, Grade-I on various dates and further promoted as Sub Inspector of Police and Inspector of Police. All of them are aggrieved with regard to their belated upgradation to the post of Head Constables, Sub Inspector of Police and Inspector of Police from much later dates than the dates from which they ought to have been upgraded in the said posts in accordance with the upgradation policy of the Government pertaining to their department.

(b) The department introduced upgradation scheme by granting time-bound promotion of Constables and Head Constables, pursuant to which, those who have completed 10 years of service as Police Constables Grade-II are upgraded as Police Constables Grade-I and those who have completed 5 years of service as Police Constables Grade-I are upgraded as Head Constables and the Head Constables after completing 10 years of service are upgraded as Sub Inspector of Police. However, the petitioners were not upgraded as per the said scheme.

(c) Subsequently, the Women Police Constables Grade-I selected in the year 1977 were benefited by getting their regular promotion as Head Constables in the year 1981 after completion of their four years service in the rank of Grade-I Police Constable and got promoted as regular Sub Inspector of Police in 1991 and most of them were promoted as Inspectors from 2006 after completion of 8 years of service in the rank of Sub Inspector of Police and have further been promoted to the post of Deputy Superintendent of Police. But, unfortunately, the petitioners alone, who were selected in 1981 batch, are denied of regular promotion on time without properly implementing the upgradation scheme. However, one Parijatham, P.Meenakumari and A.Vasanthi were given the said benefits, though they were appointed along with the petitioners.

(d) In the meanwhile, one G.Vimala and 11 others, who were directly recruited as Women Grade I Police Constables on 18.10.1986 filed W.P.Nos.16881 to 16892 of 2014 before this Court seeking proper time bound upgradation and as per the judgment of this Court dated 17.11.2014, the department had duly granted the upgradation benefits as claimed by them. Similarly, one Malathi and 14 others have also approached this Court by filing writ petitions and based on the orders of this Court, they were also considered on par with their batch mates. Seeking the same relief, the petitioners sent representations to the respondents. But, the same was not considered so far. Hence, left with no other alternative, the petitioners have come up with the present writ petitions for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioners and the learned Special Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioners, this Court directs the respondents to consider their representations dated 5.2.2016 and 5.4.2016 seeking revision of their date of promotion and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. All the writ petitions are disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sbi
To

- 1.The Director General of Police
Tamil Nadu, Chennai-600 004
- 2.The Commissioner of Police
Greater Chennai City Police
Chennai-600 010.
3. The Deputy Inspector General of Police,
Salem Range, Salem.

4. -do- Tiruchirapalli Range, Tiruchirapalli.

5. -do- Ramanathapuram Range, Ramanathapuram.

6. -do- villupuram Range, Villupuram.

7. -do- Commissioner of Police, Tirunelveli City Police,
Tirunelveli.

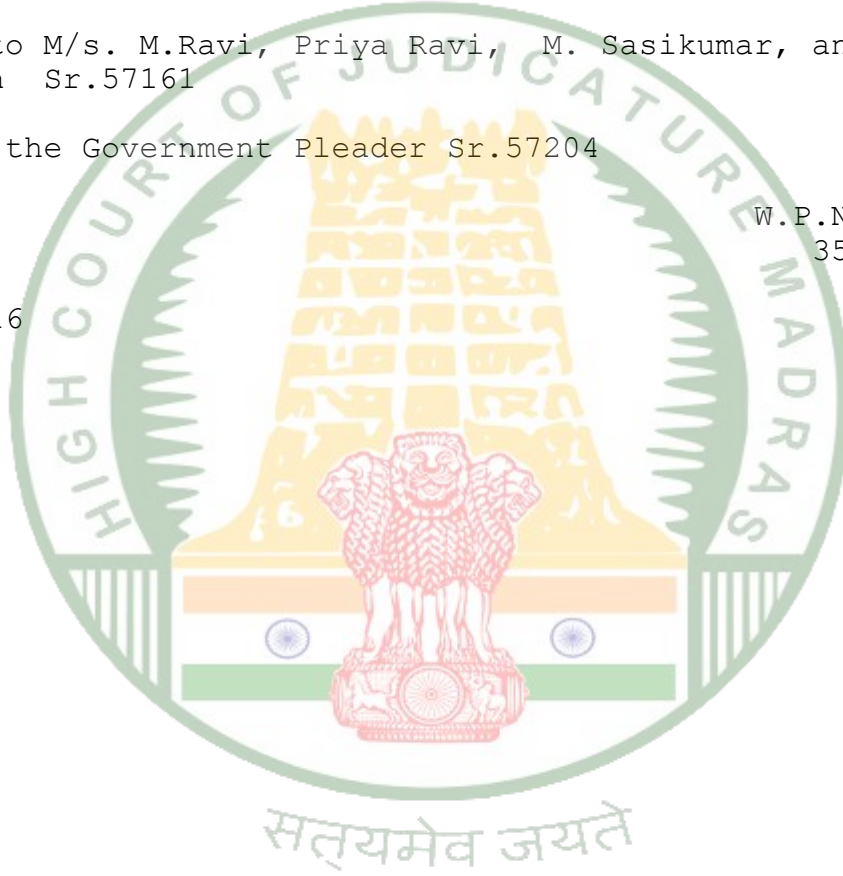
8. -do- Trichy City Police,
Tiruchirapalli.

+ 21 ccs to M/s. M.Ravi, Priya Ravi, M. Sasikumar, and S.
Manivannan Sr.57161

+ 1 cc to the Government Pleader Sr.57204

W.P.No.35147 to
35167 of 2016

MV(CO)
EU 07.12.16



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