

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.36515 of 2016

A.Shanmugam

... Petitioner

Vs.

The Superintendent of Police,
District Police Office,
Thiruvalluvar District.

.... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 08.12.2015 regarding posting the petitioner to the Armed Reserved General Duty on merits and in accordance with law, within a time frame.

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

For Respondent : Mr.K.Dhananjeyan
Special Government Pleader

O R D E R

With the consent of both sides, the main writ petition is taken up for final disposal.

2. The writ petition is filed seeking Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 08.12.2015 regarding posting the petitioner to the Armed Reserved General Duty on merits and in accordance with law, within a time frame.

3. The petitioner has joined in the Police Department as Grade II constable on 01.03.2002 and he was promoted as Grade I constable. Subsequently, he was promoted as Head Constable in the year 2006 and Sub-Inspector of Police in the year 2011. After his promotion to the post of Sub-Inspector of Police, on par with the other Armed Reserved Sub Inspectors of Police, the

petitioner had successfully completed his probation.

4. Though he is working in Armed Reserve, Armourer Unit, he had been allotted to general duty very frequently on temporary basis. The special allowance intended for the post of Armourer has also been stopped to the petitioner and his pay and allowances has been fixed on par with General Duty Armed Reserved Sub-Inspector of Police. Hence, the petitioner had made a representation to the respondent on 08.12.2015, but the same was not considered. Hence, he has come forward with the present Writ Petition.

5.I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who takes notice for the respondent.

6.Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the respondent to consider the representation of the petitioner dated 08.12.2015 with regard to posting of the petitioner to the Armed Reserved General Duty and pass appropriate orders, on merits and in accordance with law, within a period of four weeks 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 claim projected by the petitioner and it is for the respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

mrp

To

The Superintendent of Police,
District Police Office,
Thiruvalluvar District.

+ 1 cc to Mr.G.Bala & Daisy, Advocate SR NO 59078

+ 1 CC to Government Pleader SR NO 59672

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SK[CO]

GP/