

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.3846 of 2016

S.Ravichandran

... Petitioner

Vs.

The Additional Director General
of Police (Administration),
Office of the Director General of Police,
Mylapore, Chennai-4.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent herein to pass orders on his representation dated 3.9.2015 for including his name at the appropriate place on par with his immediate juniors in the Sub Inspectors Panel for the year 1999-2000.

For Petitioner : Mr.K.Rajasekaran

For Respondent : Mr.S.Gunasekaran,
Additional Government Pleader

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondent herein to pass orders on his representation dated 3.9.2015 for including his name at the appropriate place on par with his immediate juniors in the Sub Inspectors Panel for the year 1999-2000.

3. The case of the petitioner, in brief, is as follows:-

(a) The petitioner was enlisted as Grade-II Police Constable in the year 1986 and promoted as Grade-I Police Constable in the year 1992. In the year 1999, he was further promoted to the Post of Head Constable. Since there was some anomaly regarding promotion to the Police Constables appointed and posted to Armed Reserve Unit and Motor Transport Wing, the petitioner approached this Court by filing a writ petition in W.P.No.15448 of 2010 and as per the direction of this Court dated 20.7.2010, the petitioner's seniority was revised and accordingly, his date of promotion as Grade-I Police Constable was reckoned on and from 1.3.1992 and his date of promotion as Head Constable was reckoned on and from 27.6.1992. Thereafter, he became eligible for inclusion in the 'C' list of Head Constables fit for promotion as Sub Inspector of Police for the year 1999-2000 along with his batch mates.

(b) While the petitioner was working as Head Constable in the Armed Reserve, he was deputed to the Special Task force at Erode District and he was given accelerated promotion as Sub Inspector of Police (AR) with effect from 30.10.2004. He was placed on probation and he has successfully completed his probation as regular Sub Inspector on 9.11.2006 and he was brought in 'A' list on 10.11.2006. But, unfortunately, his name was not shown in any 'C' list of Sub Inspectors of Police (AR).

(c) The Commissioner of Police, Greater Chennai sent necessary proposal on 13.9.2013 to the Director General of Police for regularizing the services of the Sub Inspectors (AR) for being included in the panel for the year 1999-2000 and the name of the petitioner was also recommended. But, the petitioner was not given promotion as Sub Inspector (AR). In this regard, he sent a detailed representation dated 3.9.2015 to the respondent narrating the entire facts and requesting him to include his name at the appropriate place on par with his immediate juniors for the Sub Inspector Panel for the year 1999-2000. But, till date, no action was taken on his representation. Hence, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondent.

5. 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 3.9.2015 seeking inclusion of his name at the appropriate place on par with his immediate juniors in the Sub Inspectors Panel for the year 1999-2000 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. 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(CS IV)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Additional Director General
of Police (Administration),
Office of the Director General of Police,
Mylapore, Chennai-4.

2.The Public Prosecutor,
High Court, Madras 104.

+1cc to Mr.K.Rajasekaran, Advocate, S.R.No.52951

W.P.No.3846 of 2016

VD(CO)
CA(28/09/2016)

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