

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.02.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.4237 of 2016

A.Balamurugan

.. Petitioner

vs

1. The Joint Commissioner of Police
South Zone, St.Thomas Mount
Chennai-16.

2. The Deputy Commissioner of Police
T.Nagar District, South Zone
Chennai-17.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to consider and pass orders on the petitioner's representation dated 02.11.2015 for upgradation as Grade I Police Constable with effect from 01.11.2007 and as Head Constable with effect from 01.11.2013 on notional basis, within a stipulated time.

For Petitioner : Mr.Ravi Shanmugam

For Respondents: Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

Mr.A.Balamurugan, who joined the Police service as Grade II Police Constable on 31.10.1997 after some time was removed from service on 24.08.2004. However, the said order of removal was set aside by this Court vide order dated 27.08.2007 in W.P.No.26050 of 2004 with a direction to reinstate the petitioner into service with continuity of service, however without back wages. Hence, the grievance of the petitioner is that though he was reinstated into service with continuity of service without back wages, his continuity of service has not been taken into consideration for upgrading him to the post of Grade I Police Constable. Therefore he submitted a representation dated 02.11.2015 to the respondents; but till date, the same has not been considered. Hence the present writ petition.

2. Heard the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader, who took notice on behalf of the respondents.

3. Considering the facts and circumstances of the case, without going into the merits of the writ petition, the first respondent is directed to consider the representation dated 02.11.2015 submitted by the petitioner, in terms of the order already passed by this Court dated 27.08.2007 and the proceedings dated 24.02.2014 issued by the Commandant, TSP.V.Battalion taking him back into service and pass appropriate orders thereon, within a period of four weeks from the date of receipt of a copy of this order.

4. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

vj2

To

1. The Joint Commissioner of Police
South Zone, St.Thomas Mount
Chennai-16.

2. The Deputy Commissioner of Police
T.Nagar District, South Zone
Chennai-17.

1 cc to Government Pleader, Sr. 7543

1 cc to Mr.Ravi Shankugam, Sr. 7408

W.P.No.4237 of 2016

TEJ (CO)

kk 11/2