

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. Nos.6551 to 6554 of 2016 and
W.M.P. No.5830 of 2016

Balaiah	.. Petitioner in W.P. No.6551 of 2016
T.Narayanan	.. Petitioner in W.P. No.6552 of 2016
S.Vedanayagam	.. Petitioner in W.P. No.6553 of 2016
Baskaradoss	.. Petitioner in W.P. No.6554 of 2016

-vs-

The Director General of Police,
Tamil Nadu, Chennai 600 004. ... Respondent in all WPs

Prayer in all cases: Petitions filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records in the order bearing Rc.Nos.191207/NGB.III(2)/2013-5, 2013-11, 2013-15 and 2013-14 dated 30.10.2014 passed by the respondent and quashing the same and extending the benefit of the order of this Court dated 02.07.2013 in Review Application Nos.10 to 12 of 2013 which were filed against the judgment dated 26.06.2012 in Writ Appeal (MD) Nos.361, 364 and 367 of 2012 to the petitioners.

For Petitioners :Mr.M.Radhakrishnan

For respondent in all cases :Mr.A.Kumar,
Special Government Pleader

COMMON ORDER

The issue raised in the writ petitions has already been considered by this Court in the case of M.Pongianan v. State of Tamil Nadu represented by its Secretary to Government, Home Department, Chennai and others, (2014) 1 MLJ 777, wherein a similar request for upgradation to the post of Special Sub Inspector of Police on completion of 25 years of service from the date of entry into service, was turned down on the ground that any such upgradation, on the basis of G.O. (Ms.) No.15 Home (Police-V) Department, dated 07.01.2010, G.O. Ms. No.937 Home (Police-III) Department, dated 21.07.1998 and another G.O. Ms.No.844 Home (Police-V) Department, dated 03.06.1997 cannot be made with retrospective effect, as neither the scheme nor the aforesaid Government Orders directed the counting of services

from the date of entry to upgrade the police personnel to the post of Special Sub Inspector of Police. This Court also found that without there being any vacancy to the post of Special Sub Inspector of Police, no such order of upgradation or retrospective promotion can be given effect to.

2.Since I am also in agreement with the aforesaid views of this Court, the writ petitions filed by the petitioners, being bereft of any merit, fails. Therefore, finding no error in the impugned orders, this Court is not inclined to grant the relief sought for by the petitioners. Accordingly, the Writ Petitions are dismissed. No costs. Consequently, connected M.P. is also dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

The Director General of Police,
Tamil Nadu, Chennai 600 004.

+4cc to Mr.M.Radhakrishnan, Advocate, S.R.No.11716 to 11719
+2cc to the Government Pleader, S.R.No.11747

W.P. Nos.6551 to 6554 of 2016

bvr(CO)
srg(07/04/2016)

सत्यमेव जयते

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