

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2016

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.9532 of 2016

S.Kaliyamoorthy
213, Mansion Street,
Police Quarters,
Greams Road,
Chennai - 600 006.

...Petitioner

vs

1.State of Tamil Nadu
represented by its
Secretary to Government,
Home (Police) Department,
Secretariat,
Chennai - 600 009.

2.The Director General of Police,
Chennai - 600 004.

3.The Commissioner of Police,
Egmore, Chennai - 600 008.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to give promotion to the petitioner on par with that of his junior who was promoted as Inspector of Police, as per the order of the Division Bench in W.P.No.25043 of 2002 dated 18.09.2007 and the order passed in W.P.Nos.3125 etc dated 25.06.2009 and G.O.Ms.No.1026, Home (Pol.V) Department, dated 02.12.2009, by considering the representation made by the petitioner dated 22.02.2016 and confer all the consequential benefits.

For Petitioner : Mr.C.Selvaraj, senior counsel
for M/s.C.S.Associates

For Respondents: Mr.A.Kumar,
Special Government Pleader

O R D E R

The petitioner seeks a direction to the respondents to give promotion to the petitioner on par with his junior who was promoted as Inspector of Police, as per the order of the Division Bench in W.P.No.25043 of 2002 dated 18.09.2007 and the order passed in W.P.Nos.3125 etc dated 25.06.2009 and G.O.Ms.No.1026, Home (Pol.V) Department, dated 02.12.2009, by considering the representation of the petitioner dated 22.02.2016.

2. The petitioner, Mr.S.Kaliyamoorthy, has joined as Grade II Police Constable on 15.05.1981 in Tamil Nadu Special Police and thereafter, he was promoted as Grade I Police Constable on 09.11.1988. On transfer, he was posted to Motor Transport Wing and promoted as Head Constable on 11.04.1995. The petitioner has given a representation dated 22.02.2016 to the respondents seeking promotion on par with his junior Mr.T.Soundararajan in the light of the order passed by this Court in W.P.No.25043 of 2002 dated 18.09.2007. Since no action has been taken on his representation, the petitioner has filed the present writ petition.

3. The learned senior counsel for the petitioner submitted that Mr.T.Soundararajan, who is junior to the petitioner, was also appointed like the petitioner as Grade II Police Constable in Tamil Nadu Special Police and promoted as Head Constable and further promotion was given with all benefits. In the light of G.O.Ms.No.1026, Home (Pol.V) Department, dated 02.12.2009 and the orders passed by this Court in W.P.No.25043 of 2002 dated 18.09.2007 and W.P.Nos.3125 etc. dated 25.06.2009, the petitioner should also be given the similar benefit.

4. Mr.A.Kumar, the learned Special Government Pleader, accepts notice for the respondents.

5. Considering the limited nature of prayer, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 22.02.2016 in the light of the orders passed by this Court in W.P.No.25043 of 2002 dated 18.09.2007 and W.P.Nos.3125 etc. dated 25.06.2009 and G.O.Ms.No.1026, Home (Pol.V) Department, dated 02.12.2009 and pass 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.

This Writ Petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gm

To

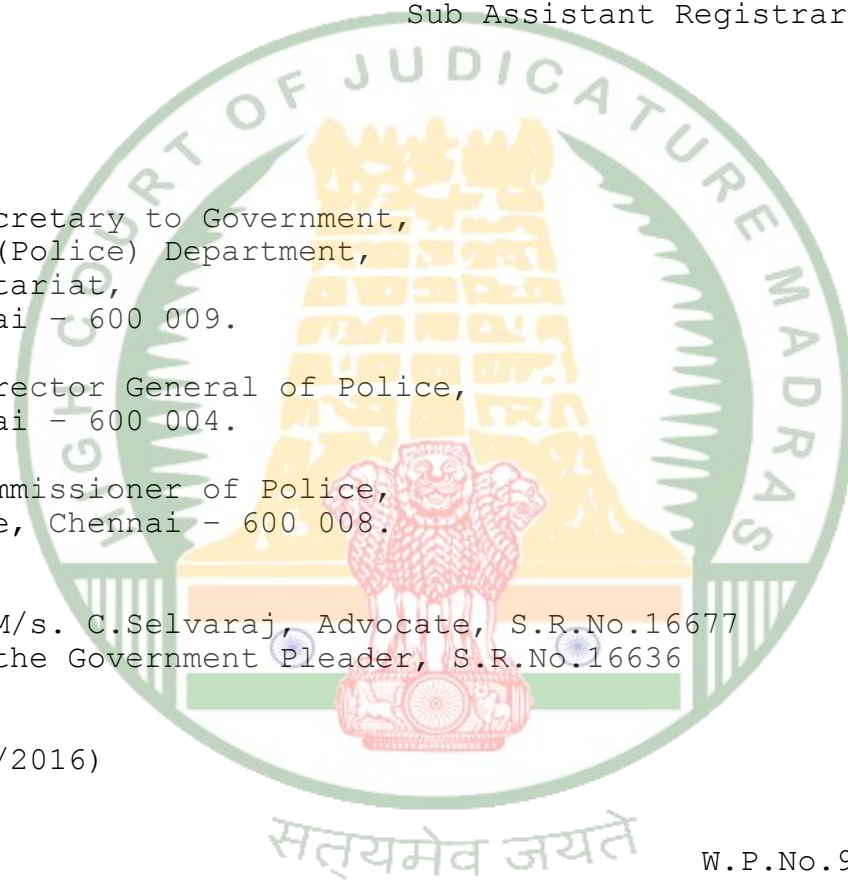
1.The Secretary to Government,
Home (Police) Department,
Secretariat,
Chennai - 600 009.

2.The Director General of Police,
Chennai - 600 004.

3.The Commissioner of Police,
Egmore, Chennai - 600 008.

+1cc to M/s. C.Selvaraj, Advocate, S.R.No.16677
+1cc to the Government Pleader, S.R.No.16636

SNS (CO)
EU(30/03/2016)



W.P.No.9532 of 2016

WEB COPY