



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 15.11.2016

C O R A M

THE HONOURABLE DR.JUSTICE S.VIMALA

Writ Petition (MD) No.21272 of 2016

S.Gunaseelan

.. Petitioner

Vs.

1. The Director General of Police,
Kamarajar Salai, Mylapore,
Chennai - 600 004.

2. The Inspector General of Police
South Zone, Madurai.

3. The Deputy Inspector General of Police,
Dindigul Range, Dindigul.

4. The Superintendent of Police
Dindigul District, Dindigul.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to revise and regularize the service seniority and give the promotion equal to the post of inspector of police rank to the petitioner from the year of 2008 with monetary benefits on the basis of the petitioner's representation dated 15.09.2016.

For Petitioner

... Mr.A.Rajaram

For Respondents

... Mr.A.Muthukaruppan

Additional Government Pleader

O R D E R

This is a writ of Mandamus seeking direction to the respondents to revise and regularise the service seniority of the petitioner and to give promotion on par with similarly placed

<https://hqs.cse.ms.gov.in/> services P.Nagarajan and S.Balasubramanian, who are the petitioners in W.P.(MD)Nos.317 and 413 of 2010 respectively.



2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. The case of the petitioner is that the service seniority should be calculated only from the date of appointment and it cannot be calculated based on transfer of the petitioner from one wing of the Department to other wing of the Department. The specific case of the petitioner is that he was appointed as Grade II Police Constable on 13.10.1981 in Tamil Nadu Special Police Battalion and later on he was transferred to Armed Reserve wing. After detailing the promotions given to him, it is stated that in the case of the said P. Nagarajan and S. Balasubramanian, who were also appointed as Grade II Police Constables in the year 1982, they filed writ petition in W.P. (MD) Nos. 317 and 413 of 2010 respectively, wherein this Court has ordered regularisation of their services based on service seniority. Accordingly, service seniority has been considered by the Government and proper promotion has also been effected.

4. The petitioner being a similarly placed person with that of the petitioners in W.P. (MD) Nos. 317 and 413 of 2010, has given a representation dated 15.09.2016 to the respondents seeking to revise and regularize the service seniority and give the notional promotion equal to the post of inspector of police rank to the petitioner from the year of 2008 with monetary benefits.

5. The learned Additional Government Pleader would submit that the case of the petitioner would be considered in the light of the relevant documents viz., G.O. Ms. No. 650, Home (Police III) Department, dated 19.07.2010 as well as the orders passed by this Court in W.P. (MD) Nos. 317 and 413 of 2010.

6. Under such circumstances, the second respondent is directed to consider the representation of the petitioner dated 15.09.2016, in the light of the documents referred to supra and to pass orders, within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-I)

/True Copy/



To

1. The Director General of Police,
Kamarajar Salai, Mylapore,
Chennai - 600 004.
2. The Inspector General of Police
South Zone, Madurai.
3. The Deputy Inspector General of Police,
Dindigul Range, Dindigul.
4. The Superintendent of Police
Dindigul District, Dindigul.

+lcc to Mr.A.Rajaram, Advocate, SR.No.69179

+!cc to Special Government Pleader, SR.No.69310

Writ Petition (MD) No.21272 of 2016

15.11.2016

ry2

MK-SU-MMS/30.1.2017/3p-7c