



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **21.11.2016**

CORAM :

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P (MD) No.22166 of 2016

S.Subramaniam

... Petitioner

Vs.

1.The Union of India,
rep.by its Secretary to Government,
Ministry of Home Affairs,
New Delhi.

2.The Director General,
Central Industrial Security Force,
CGO Complex, Lodhi road,
New Delhi - 110 003.

3.The Inspector General,
Central Industrial Security Force,
Southern Sector,
Near War Memorial,
Chennai - 600 009.

4.The Deputy Inspector General,
Central Industrial Security Force,
Arakkonam, Vellore District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issue a writ of Mandamus to direct the respondents to pass orders on the representation of the petitioner dated 03.08.2016 and to pay all Notional Promotion from March 2006 to February 2007 to the post of Deputy Inspector General and to order difference of pay revision of Retirement benefits and revision of Pension and continue to pay the revised Pension.

For Petitioner : Mr.M.MD.Ibrahim Ali

For Respondents : Mr.N.Shanmuga Selvam
Central Government Standing Counsel

**O R D E R**

This Writ of Mandamus has been filed, seeking a direction to the respondents to pass orders on the representation of the petitioner dated 03.08.2016 and to pass orders for notional promotion from March 2006 to February 2007 to the post of Deputy Inspector General and also to order difference of pay, revision of retirement benefits and revision of pension and continue to pay the revised pension.

2. Heard the learned counsel for the petitioner and the learned Central Government Standing Counsel, who takes notice for the respondents.

3. The petitioner joined as Sub Inspector in the Cental Industrial Security Force in the year 1974 and subsequently he was promoted as Inspector, Deputy Commandant, Commandant, Senior Commandant and finally undergone DIG promotion course with effect from 20.06.2005 to 02.07.2005. After completion of training, he was fit for promotion to the post of DIG and seniority list was prepared on 12.04.2005, in which, the petitioner was in Serial No.27.

4. The claim of the petitioner is that one of the officers by name S.C.Mishra who was in Serial No.25 alone was promoted as DIG, even though the petitioner was eligible for being considered and his annual confidential report was also very good.

5. The petitioner was informed that his claim for promotion was not considered as he retired. Despite retirement, the authority should have considered the case of promotion, at least for the benefit of monetary considerations, even that was not done. So claiming, a representation dated 03.08.2016 has been submitted to the authorities concerned. But no order has been passed so far. Hence, this writ petition has been filed.

6. The learned counsel for the respondents would submit that even though orally the petitioner had been informed that because of his retirement, his promotion was not considered, yet, the second respondent will consider the representation and pass orders within the reasonable time to be fixed by this Court.

7. Under such circumstances, the second respondent is directed to consider the representation of the petitioner dated 03.08.2016 and to pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this



8. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (Writs)

/True copy/

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Sub Assistant Registrar

To

1. The Secretary,
Union of India, Ministry of Home Affairs,
New Delhi.
2. The Director General
Central Industrial Security Force,
CGO Complex, Lodhi Road,
New Delhi-110 003.
3. The Inspector General,
Central Industrial Security Force,
Southern Sector, Near War Memorial,
Chennai-600 009
4. The Deputy Inspector General,
Central Industrial Security Force,
Arakkonam, Vellore District.
+1cc to Mr. N. Shanmuga Selvam, Advocate, SR-70828
+1cc to Mr. M. MD. Ibrahim Ali, Advocate, SR-71256

AAM/7c/3p/12.01.2017

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