



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.12740 of 2011

V.Mahalingam

... Petitioner

-VS-

1.The Deputy Inspector General of Police
Tiruchirappalli Range, Tiruchirappalli-20

2.The Superintendent of Police
Tiruchirappalli

3.Deputy Superintendent of Police
Armed Reserve, Trichy
Tiruchirappalli District

4.N.Gnanasekaran
Head Constable / Ty.SI
Armed Reserve, Trichy
Trichy District

5.R.Manivannan
Head Constable / Ty.SI
Armed Reserve, Trichy
Trichy District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records relating to the impugned proceedings of the first respondent bearing C.No.A1/11217/11, dated 27.10.2011 and quash the same in respect of Respondents 4 and 5 concerned and consequently direct the first respondent to include the name of the petitioner in "C" List of eligible Head Constables and Temporary Sub-Inspectors (Armourer) fit for promotion as Sub Inspectors (Armourer).

For Petitioner : Mr.S.Mahalingam

For Respondents : Mr.S.Kumar, A.G.P., for R1 to R3
R4 & R5-No appearance

**ORDER**

The prayer in this writ petition is for issuance of a writ of certiorarified mandamus to quash the order, dated 27.10.2011, passed in C.No.A1/11217/11, by the first respondent in respect of the respondents 4 and 5 and to direct the first respondent to include the name of the petitioner in the "C" List of eligible Head Constables and Temporary Sub-Inspectors (Armourer) fit for promotion as Sub Inspectors (Armourer).

2. The petitioner was appointed as a Grade-II Police Constable on 01.11.1995 and for the purpose of promotion to the post of Head Constable, he was sent to Armourer Basic Course Training for the period between 11.02.2004 and 11.12.2004. After completion of the training programme, he reported duty on 12.12.2004 in Rebrowning Centre at Trichy. He sought for promotion on many occasions. But, even before submitting his report, the respondents 4 and 5 submitted their reports and based on which they were given promotion to the post of Head Constable. The petitioner, in view of completion of training programme much earlier than the respondents 4 and 5, sought for revision of seniority and also placement above the respondents 4 and 5. Whereas in the list of Head Constables, who are working under the second respondent, in the last column, promotion for the post of Head Constable is shown as with effect from 19.07.2006 and for the respondents 4 and 5, it is shown as 08.01.2006. Consequent on the promotion to the post of Head Constable, the official respondents prepared a "C" List of eligible persons to be promoted as Sub-Inspector of Police. In that list, the name of the respondents 4 and 5 find a place, whereas the petitioner was left out.

3. The petitioner has now filed the writ petition challenging the "C" List with a request to consider his name over and above the respondents 4 and 5 for the promotion of Sub-Inspector of Police. He has also made a representation to the official respondents on 04.11.2011 for the same relief, but there was no response.

4. Taking into consideration the facts and circumstances of the case, without going into the merits of the case, a direction is issued to the respondents 1 and 2 to consider the petitioner's representation, dated 04.11.2011, and pass orders in accordance with law, within a period of two weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner forthwith.



5. The writ petition is disposed of with the above directions.
No costs.

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/True Copy/

Sd/-

Assistant Registrar (AE)

Sub Assistant Registrar

To:

1.The Deputy Inspector General of Police,
Tiruchirappalli Range, Tiruchirappalli-20.

2.The Superintendent of Police,
Tiruchirappalli.

3.Deputy Superintendent of Police,
Armed Reserve, Trichy,
Tiruchirappalli District.

+1 cc to MR.S.MAHALINGAM, advocate SR.No.68070

+1 cc to Special Government Pleader Sr.NO.68327

W.P.(MD) No.12740 of 2011

11.11.2016

SMA/SS-2/25.11.2016:3P/6C