

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.4048 of 2017

G.Ravichandran

... Petitioner

Vs.

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

2.The Home Secretary,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai- 600 009.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus by directing the respondents herein to consider the petitioner's representation dated 26.10.2016 in accordance with the decision of this Court rendered in W.P.No.25043 of 2002 dated 18.09.2007 and in the light of G.O.Ms.No.1623, Home (Pol-V) Department dated 12.12.2008 by refixing the petitioner's seniority with all consequential benefits.

For Petitioner : Mr.K.Rajasekaran

For Respondents : Mr.P.Senthilvel,
Government Advocate

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2.The petitioner was selected and appointed as Police Constable Grade-II on 17.11.1988 and was promoted as Police Constable Grade-I on 28.10.1998. Thereafter, promoted to the post of Head Constable on 01.08.2002. The petitioner got his promotion as temporary Sub Inspector on 11.08.2005 and promotion as Sub Inspector (Armourer) on 03.09.2008. at present, he is working as Sub Inspector of Police in Motor Transport (Armourer) Wing. The petitioner would further aver that Police Constables

Grade-II, who continue to be in the Armed Reserve Unit, were given quick promotions and emoluments than others and in this regard, they have also approached the concerned authorities. Similarly placed Police Constables viz., N.K.Kaladaran and C.Ragupathy filed W.P.No.25043 of 2002 and a Division Bench of this Court, vide order dated 18.09.2007, held that there can only be a common seniority list and the date of appointment is the crucial date for fixing the seniority. The petitioner would further aver that pursuant to the said order, vide G.O.Ms.No.1623 Home (Pol V) Department dated 12.12.2008, seniority was revised and promotions were given. Based on this, very many writ petitions were also filed. The learned counsel for the petitioner would submit that in similar facts and circumstances, one S.Kaliaperumal filed W.P.No.29129 of 2015 and this Court, vide order dated 16.09.2015, has directed the very same respondents to consider and dispose of the representation of the petitioner therein in accordance with law within a stipulated time and prays for appropriate relief.

3.This Court heard the submissions of the learned counsel appearing for the petitioner and Mr.P.Senthilvel, learned Government Advocate, who accepts notice on behalf of the respondents.

4.Though the petitioner prays for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the respondents to consider and dispose of the petitioner's representation dated 26.10.2016 on merits and in accordance with law, after taking note of G.O.Ms.No.1623 Home (Pol V) Department dated 12.12.2008 and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5.The Writ Petition is disposed of accordingly. No costs.
-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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

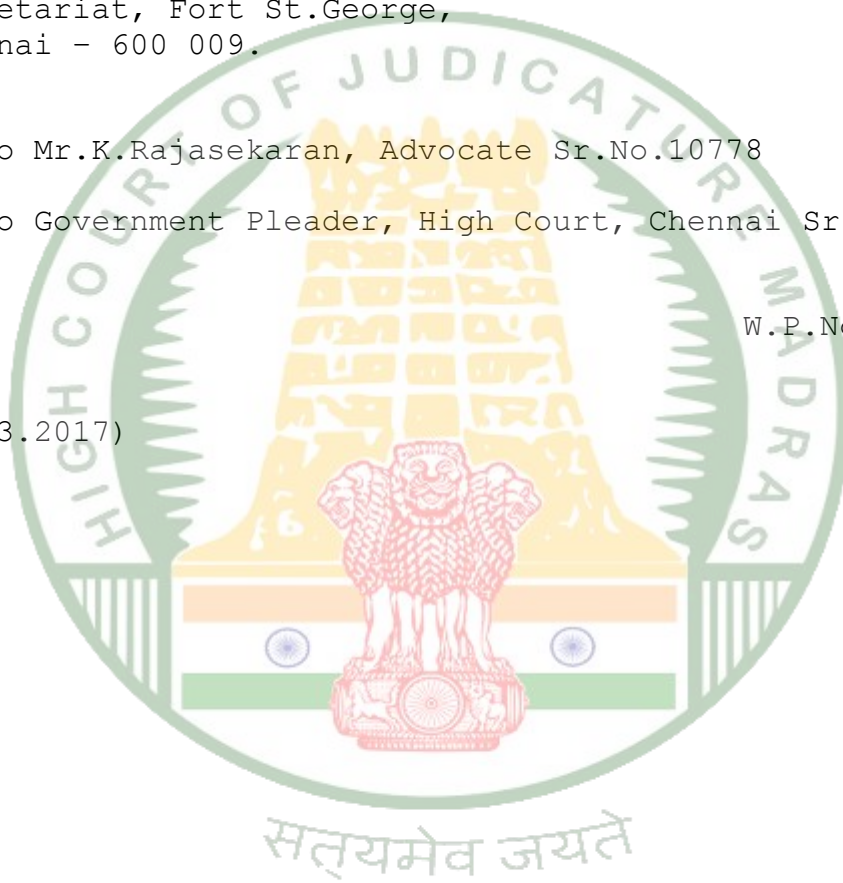
2.The Home Secretary,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai - 600 009.

+1 CC to Mr.K.Rajasekaran, Advocate Sr.No.10778

+1 CC to Government Pleader, High Court, Chennai Sr.No.10733

W.P.No.4048 of 2017

AK(CO)
KP(07.03.2017)



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