

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.02.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

WP.No.3007/2017

S.Rajesh

... Petitioner

Versus

1.The Principal Secretary to Government
State of Tamil Nadu, Home [Police III]
Department, Secretariat, Fort St George
Chennai 600 009.

2.The Director General of Police
[Law and Order], Mylapore
Chennai 600004.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for a writ of mandamus directing the respondents to consider the petitioner's representation dated 13.06.2014 and 27.02.2015 and grant conversion for being appointed as Sub Inspector of Police [Taluk Police] by granting age relaxation to the petitioner in the light of G.O.Ms.No.312, Home [Pol.III] Department, dated 04.04.2003 and G.O.Ms.No.1165, Home [Pol.III] Department dated 06.08.2007 within stipulated time frame.

For Petitioner : Mr.B.Harikrishnan

For Respondents: Mr.R.A.S.Senthivel, AGP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.R.A.S.Senthivel, learned Additional Government Pleader accepts notice on behalf of the respondents.

2 The petitioner was recruited as Grade II Police Constable on 15.04.1997 in the Tamil Nadu Special Police Battalion and was allotted to XV Battalion, Avadi and got his promotion as Havildar on 17.06.1998 and further promotion as Sub Inspector of Police on 01.03.2010 on temporary basis and it was regularised on 28.02.2011 on completion of probation and from 23.09.2009 onwards, the petitioner is serving in Security Branch CID [SBCID], Chennai. The petitioner has also completed his

Bachelor of Computer Application as well as his Master degree in English Literature through Distant Education Programme and also did his PG Diploma Course in Criminalology and Forensic Sciences from Annamalai University and passed out in the year 2013. According to the petitioner, he is entitled for conversion to Taluk Police and had not completed 40 years of age with five years of service in the category of Sub Inspector of Police and the request for conversion was also positively considered and the Superintendent of Police, SBCID, Chennai-28, has also sent necessary particulars for conversion of the petitioner to Taluk Police vide C.No.A1/Sec/006409/2013 dated 08.10.2013 and C.No.A1/Sec/003814/2014 dated 26.06.2014 and though the said proposals were received and acknowledged, so far no orders have been passed and therefore, the petitioner came forward to file this writ petition.

3 The learned counsel for the petitioner would submit that in the light of G.O.Ms.Nos.312 and 1165 of the 1st respondent dated 04.04.2003 and 06.08.2007 respectively, there cannot be any impediment on the part of the 2nd respondent to consider the request of the petitioner for conversion to Taluk Police as he possess the required qualification and has also drawn the attention of this Court to the common order dated 13.10.2015 made in WP.Nos.8982, 6526 and 6727/2015 [V.Rajaganesh and others Vs. the State of Tamil Nadu rep. by its Secretary to Government, Home [Police III] Department, Secretariat, Chennai and 2 others] as well as to the order dated 29.08.2016 made in WP.No.29940/2016 [D.Ganesan Vs. the State of Tamil Nadu rep. by its Secretary to Government, Home [Police III] Department, Secretariat, Chennai and another], who were also arrayed as the respondents 1 and 2 herein and prays for appropriate orders.

4 The Court heard the submissions of Mr.R.A.S.Senthilvel, learned Additional Government Pleader appearing for the respondents and perused the materials placed before it.

5 In the light of the above facts and circumstances, the 2nd respondent is directed to act on the proposals / recommendations of the Superintendent of Police, Security Branch CID, Chennai-600 028, vide his communications dated 08.10.2013 and 26.06.2014 respectively in C.No.A1/Sec/006409/2013 and C.No.A1/Sec/003814/2014, and also consider and dispose of the petitioner's representations dated 13.06.2014 and 27.02.2015 respectively submitted through proper channel, on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

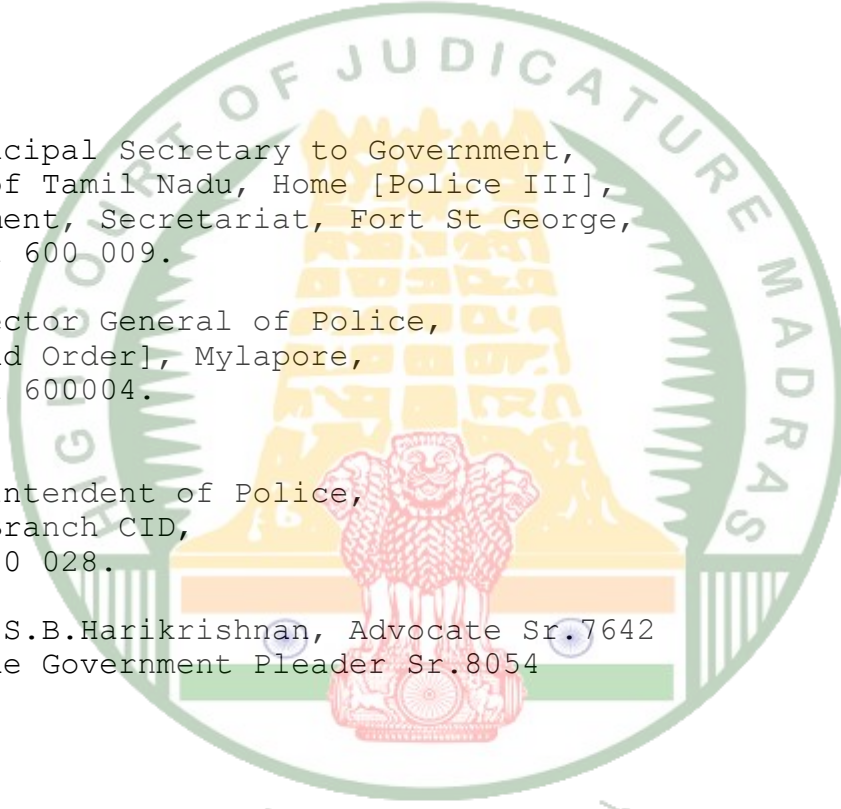
1.The Principal Secretary to Government,
State of Tamil Nadu, Home [Police III],
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Chennai 600 009.

2.The Director General of Police,
[Law and Order], Mylapore,
Chennai 600004.

Copy to:-

The Superintendent of Police,
Security Branch CID,
Chennai 600 028.

+lcc to M/S.B.Harikrishnan, Advocate Sr.7642
+lcc to the Government Pleader Sr.8054



सत्यमेव जयते

WP.No.3007/2017

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srg 16/2/2017

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