

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7388 of 2017

D.Vivekanandan

... Petitioner

Vs.

Director general of Police,
Law and order,
Chennai -600 004.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of MANDAMUS, directing the respondent herein to consider the petitioner's representation dated, 24.11.2016 regarding retrospective promotion to the post of Special Sub-Inspector of Police with effect from 01.06.2011 and pass order on merits and in accordance with law, within a time frame.

For Petitioner : Mr.D.Velmurugan

For Respondent : Mr.K.DhananJeyan

Special Government Pleader

O R D E R

The learned counsel for the writ petitioner contended that the relief sought in the Writ Petition is for directing the respondent to consider the representation by the petitioner on 24.11.2016, with regard to the retrospective promotion to the post of Special Sub-Inspector of Police with effect from 01.06.2011.

2.The claim the writ petitioner is that he is entitled for retrospective promotion in the cadre of Special Sub-Inspector of Police. In this regard, he submitted a representation to the respondent on 24.11.2016.

3. The learned Special Government Pleader appearing for the respondent submitted that the representation was addressed to the Director General of Police, which in turn, ought to have been submitted before the Joint Commissioner of Police, South

Zone, Greater Chennai. Therefore, the petitioner has to submit the representation to the Joint Commissioner of Police, South Zone, Chennai.

4.However, this Court is of the view that in view of this technical defect, the claim of writ petitioner cannot be rejected. Therefore, the writ petitioner is directed to submit the copy of the representation dated 24.11.2016 to the Joint Commissioner of Police, South zone, Greater Chennai, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the Joint Commissioner of Police is directed to consider the same and pass orders on merits and in accordance with law within a period of eight weeks thereafter Writ Petition stands disposed of. No order as to costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

klr/rpa

To

- 1.The Director general of Police,
Law and order,
Chennai -600 004.
- 2.The Joint Commissioner of Police, South Zone,
Greater, Chennai.

+1cc to Mr.G.Bala Daisy, Advocate Sr. 49071
+1cc to the Government Pleader, Sr. 49716

SR(CO)
VR(08/08/2017)

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