

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date:05.05.2017

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THE HONOURABLE THIRU JUSTICE V. PARTHIBAN

W.P.No.11607 of 2017

&

W.MP.Nos.12619 & 12620 of 2017

- 1.C.Ananda Kumar
- 2.D.Rajesh
- 3.M.Dhuvaneswaran
- 4.A.Sundaravadivel

..... Petitioners

vs

1. The State of Tamil Nadu
Represented by it the Principal Secretary
Home (Police) Department,
Secretariat, Chennai - 600 009.
2. The Director General of Police,
Tamil Nadu, Chennai 600 004.
3. The Additional Director General of Police,
Technical Services,
Chennai - 600 004.

..... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution, praying for the issuance of Writ of Mandamus to direct the respondents herein to consider the claim of the petitioners and pass appropriate orders regarding issuance of the orders of promotion of the eligible Inspector of Police (Technical) to the post of Deputy Superintendent of Police (Technical) in accordance with the existing seniority within a limited time.

For petitioner : Mr.M.Ravi

For respondent : Mr.M.Elumalai,GA

ORDER

This Writ Petition has been filed by the petitioner, seeking for the issuance of a Writ of Certiorarified Mandamus, to direct the respondents herein to consider the claim of the petitioners and pass appropriate orders regarding issuance of the orders of promotion of the eligible Inspector of Police (Technical) to the post of Deputy Superintendent of Police (Technical) in accordance with the existing seniority, within a limited time frame.

2. According to the petitioners, they were directly recruited to the post of Sub Inspector (Technical) in the Police Telecommunication Branch for the recruitment year 1999-2000. Pursuant to the recruitment, they came to be appointed during the year 2001. Thereafter, their probation was also declared and were granted selection grade in the same post on completion of ten years of service. In 2013, the petitioners were promoted to the post of Inspector of Police (Technical) and rendered nearly four years of service in the said post. According to the petitioners, they are fully qualified and eligible for promotion to the post of Deputy Superintendent of Police. The Government have issued orders sanctioning 25 new posts of Deputy Superintendent of Police (Technical Service). The petitioners are seeking appointment as against the said sanctioned posts. However, it appears that no action was forthcoming from the competent authorities for promoting the petitioners and according to them, any delay in such promotions/appointment, would cause serious prejudice to their interest. The petitioners also averred that in this regard, a writ petition in W.P.No.7146 of 2010 was also moved by one P.K.Murugan and the same is pending for final consideration. However, the petitioners would submit that without prejudice to the issues raised in the said Writ Petition, their claims may be considered. In such circumstances, it appears that the petitioners have submitted their representation on 24.4.2017 to the first respondent.

3. Shri M.Ravi, learned counsel appearing for the petitioners would submit that the petitioners would be satisfied if a direction is issued to the authorities to consider the claim of the petitioners based on their representation, dated 24.4.2017 while taking into consideration the averments made in the affidavit filed in support of the present writ petition.

4. Mr.M.Elumalai, learned Government Advocate takes notice on behalf of the respondents.

5. Since the direction sought for in this Writ Petition is limited in its scope, the Writ Petition itself is taken up for disposal at the admission stage itself.

6. Accordingly, the respondents 1 and 2 are directed to consider and dispose of the representation said to have been made by the petitioners on 24.4.2017 on merits and in accordance with law and also by taking note of the averments made in the affidavit filed in support of the present Writ Petition, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected M.P.Nos.12619 & 12620 of 2017 are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary
The State of Tamil Nadu
Home (Police) Department,
Secretariat, Chennai - 600 009.
2. The Director General of Police,
Tamil Nadu, Chennai 600 004.
3. The Additional Director General of Police,
Technical Services, Chennai - 600 004.

+1cc to Mr.M.Ravi, Advocate Sr.36716

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