

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2017

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.14153 of 2017

S. Navarathinam

... Petitioner

vs.

1 The Secretary to Government
Home (Police II) Department
Fort St. George
Chennai 600 009

2 The Director General of Police
Dr. Radhakrishnan Salai
Mylapore
Chennai 600 004

3 The Additional Director General of Police (Admn.)
Dr. Radhakrishnan Salai
Mylapore
Chennai 600 004

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to fix the petitioner's seniority based on the marks secured by her as per Rule 25(a) of the Special Rules for Police Subordinate Service, accord proper placement in "A" List and consider her claim for inclusion of her name in the "C" list of Sub Inspectors, fit for promotion as Inspector of Police for the year 2016-2017 in the light of the representation made by the petitioner dated 23.05.2017.

For petitioner

Mr. S. Sivakumar

For respondents

Mr. T.M. Pappiah
Special Government Pleader

ORDER

With consent, this writ petition is taken up for final disposal.

2. This writ petition has been preferred seeking a writ of mandamus directing the respondents to fix the petitioner's

seniority based on the marks secured by her as per Rule 25(a) of the Special Rules for Police Subordinate Service, accord proper placement in "A" List and consider her claim for inclusion of her name in the "C" list of Sub Inspectors, fit for promotion as Inspector of Police for the year 2016-2017 in the light of the representation made by her on 23.05.2017.

3. The petitioner would state that she joined the Tamil Nadu Police Service as Woman Sub Inspector of Police, on 15.09.2004 as per the orders of the second respondent and after successful completion of training and probation, her name was included in the "A" List of Women Sub-Inspectors of Police. As per the Service Rules, the Women Sub-Inspectors, who are directly recruited are kept on probation for 2½ years on duty within a continuous period of 3 years and 6 months wherein during the period of probation, they have to undergo institutional training at the Police Training Colleges and on completion of one year, they will be sent to Police Stations across the State for training for a period of 6 months as trainee Sub-Inspectors of Police and thereafter, they will be posted to independent stations for a period of one year. The petitioner would also state that at the end of training period of one year, the direct recruits have to undergo a written test on various subjects (10 papers). According to the petitioner, she and other persons similarly placed, had undergone institutional training at various Police Training Colleges, viz., Tuticorin, Coimbatore and Chennai. She has passed 9 subjects, but, failed to secure pass mark in one subject (Minor Acts) in the first chance. Subsequently, by way of a second chance, she secured pass mark and secured 884 marks, totally, in all the subjects and thereafter, her probation was declared and as stated above, she was brought into "A" List. As such, she has become a full member of the service and it is also her claim that she does not lose her seniority in the cadre of Women Sub-Inspector of Police based on the marks secured by her at the end of the training period. The petitioner, by drawing the attention of this Court to Rule 25(a) of the Special Rules for Police Subordinate Service, would state that she has secured a total of 884 marks and therefore, her seniority should be based on the total marks secured by her at the end of the training period, irrespective of the number of attempts and despite that, she has not been assigned proper seniority and in this regard, she has submitted a detailed representation dated 23.05.2017 to the 2nd respondent praying for revision of her seniority, as per the above said Ruling and consider her claim for promotion to the post of Inspector of Police, by including her name, in the appropriate place. Since no orders have been passed, she has preferred the present writ petition.

4. Heard both sides.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, without going into merits of the claim projected by her, either in her representation dated 23.05.2017 or in this writ petition, directs the 3rd respondent to consider her representation dated 23.05.2017 and pass orders on the same, on merits and in accordance with law, 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.

The writ petition stands disposed of accordingly. No costs

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

cad

To

- 1 The Secretary to Government
Home (Police II) Department
Fort St. George
Chennai 600 009
- 2 The Director General of Police
Dr. Radhakrishnan Salai
Mylapore
Chennai 600 004
- 3 The Additional Director General of Police (Admn.)
Dr. Radhakrishnan Salai
Mylapore
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+1cc to Mr.S.Sivakumar, Advocate Sr. 41821

W.P.No.14153 of 2017

KK(CO)
VR(28/06/2017)