

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.3945 of 2017

R.Raja (HC 287)

... Petitioner

Vs.

- 1 The Director General of Police
Kamarajar Salai,
Mylapore, Chennai - 600 004.
- 2 The Commissioner of Police
Coimbatore City,
Coimbatore -18
- 3 The Inspector of Police
Motor Transports,
Armed Reserve,
Coimbatore City.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to give the promotion to the post of Sub Inspector of Police to the petitioner from the year of 2006 with monetary benefits on the basis of the petitioner's representation dated 14.12.2016.

For Petitioner : Mr.A.Rajaram
For Respondents : Mr.P.Chinnadurai
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.P.Chinnadurai, learned Government Advocate accepts notice on behalf of the respondents.

2.The petitioner was appointed as Grade II Police Constable on 15.04.1997 and got his promotion as Grade I Police Constable in the year 2006 and was promoted as Head Constable during the year 2016 and at present is working as Head Constable (Motor Transport Driver) and according to him, he has received very many awards from the department for the good services rendered by him.

3.It is further averred by the petitioner that the Tamil Nadu Uniform Service Recruitment Board called for the Board Exam for the year 2005-2006 under 20% quota for the promotion of Sub Inspector of Police and the petitioner also submitted an application to participate in the selection process and it was rejected by the second respondent on 03.10.2006 citing the reason that he was under punishment.

4.It is further averred by the petitioner that he along with 11 others were falsely implicated for the alleged commission of offence under Sections 147, 353 and 506(1) of I.P.C. in Crime No.153 of 2000 registered by the Vikramangalam Police Station and the said case, after investigation, has culminated in a charge sheet which was taken on file in C.C.No.456 of 2001 by the Judicial Magistrate Court No.II, Usilampatti and after full fledged trial, the petitioner and others were honourably acquitted by the said Court on 06.11.2006.

5.It is also stated by the petitioner that the second respondent vide proceedings dated 09.07.2009, has also treated the period of suspension from 13.10.2000 to 04.08.2001 as spent on duty for all purpose. Thereafter, the petitioner submitted representation to the first respondent through proper channel praying for promotion to the post of Sub Inspector of Police with conferment of all monetary and consequential benefits and since no orders have been passed, came forward to file the present writ petition.

6.Heard the submissions of the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.

7.Though the petitioner prayed for a 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 the representation submitted by the petitioner dated 14.12.2016, received through proper channel and dispose of 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.

8.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

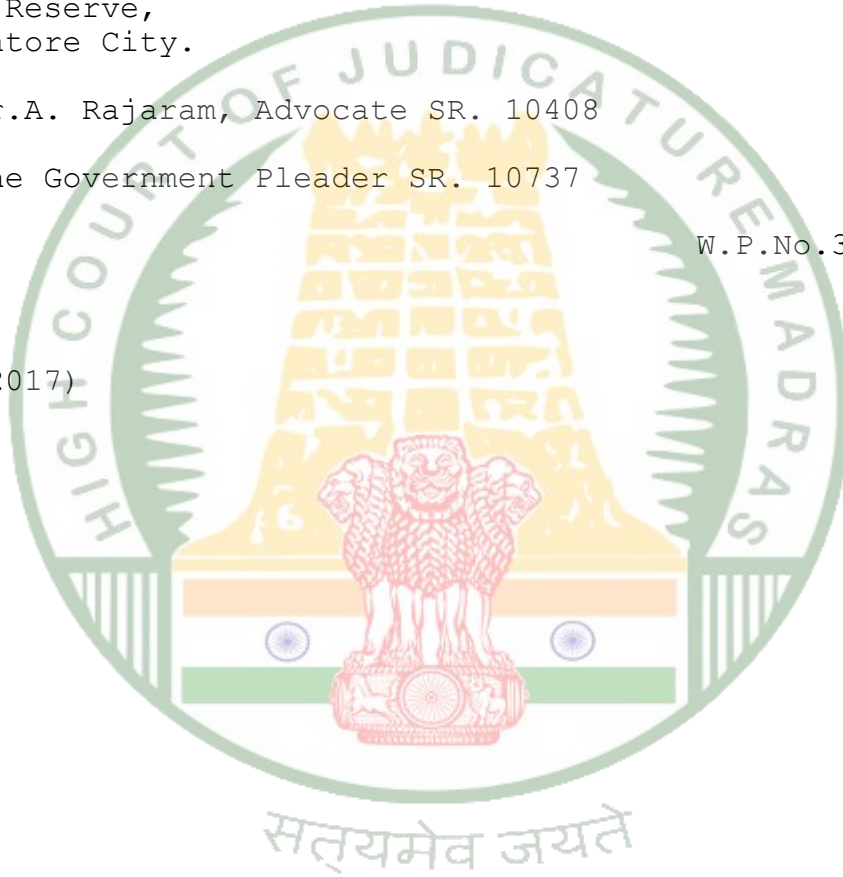
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+1cc to Mr.A. Rajaram, Advocate SR. 10408

+1cc to the Government Pleader SR. 10737

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AD(CO)
VR(07/03/2017)



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