

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.28614 of 2017

S.Jayalakshmi

.. Petitioner

-vs-

1. The Secretary to Government  
Home (Police II) Department  
Fort St.George  
Chennai-9

2. The Director General of Police  
Dr.Radhakrishnan Salai  
Mylapore  
Chennai-4

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the claim of the petitioner for inclusion of her name in the 'C' list of Sub Inspector of Police fit for promotion as Inspector of Police for the panel year 2017-18 and promote her as Woman Inspector of Police and grant her all consequential service benefits.

For Petitioner :: Mr.M.Muthappan

For Respondents:: Mr.R.A.S.Senthilvel  
Additional Government Pleader

ORDER

The petitioner is a directly recruited Woman Sub Inspector of Police and appointed to the police service on 15.9.2004. While she was a part of the prohibition raid wing with other subordinates at Thamalerimuthur junction road and when the petitioner was searching a petty shop, she found one Jyothi, W/o Sekar selling liquor (90 ml old secret rum) and the raiding party also seized the contraband, brought the accused to the police station and registered a case in Crime No.432 of 2013 under Section 4(1)(a), 4(1)(A)(iii) of the Tamil Nadu Prohibition Act and sent her to judicial custody. Subsequently, the petitioner was also issued with a charge memo under rule 3 (a) of the Tamil Nadu Police Subordinate Service (Discipline &

Appeal) Rules by the first respondent on 24.10.2013 alleging that after registration of the criminal case against the said Jyothi, it was altered and allowed her to come out on bail, thereby committed irreprehensible conduct. After enquiry, although the petitioner was imposed with the punishment of stoppage of increment for two years without cumulative effect on 8.12.2013, the learned counsel for the petitioner submitted that the said order, on appeal, was cancelled by order dated 8.7.2017. Therefore, the petitioner should have been given promotion by including her name in the current panel 2017-18. As the name of the petitioner has not been included, a representation has been given on 14.9.2017 for inclusion of her name in the 'C' list of Sub Inspector of Police fit for promotion as Inspector of Police for the panel year 2017-18. As the said representation has not been considered, she is before this Court.

2. The learned Additional Government Pleader for the respondents sought eight weeks time to consider the representation of the petitioner.

3. This Court hereby directs the respondents to consider the pending representation of the petitioner dated 14.9.2017 on merits and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ss  
To

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

WEB COPY

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

+1 cc to Mr.M.Muthappan Advocate sr 79645  
+1 cc to Govt Pleader sr 79918

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