

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.44718 of 2016

S.Raman

.. Petitioner

vs.

1. State of Tamil Nadu,
Represented by its Home Secretary,
Fort St.George,
Chennai-600 009.
2. The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai-600 004.
3. The Deputy Inspector General of Police,
Post Box No.601, Dr.Radha Krishnan Salai,
Mylapore, Chennai-600 004. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to dispose of the representation dated 03.10.2016 to grant notional promotion along with consequential monetary and service benefits such as re-fixation of seniority, pay and pension within a time frame.

For Petitioner : Ms.M.Amudha
for M/s.R.Karthikeyan

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

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner was inducted as Grade II Police Constable in the services of the Tamil Nadu Police on 01.05.1966 and was given promotion as Grade I Police Constable on 01.05.1979. The petitioner would aver that the said benefit was conferred upon him after a long lapse of 13 years and it is also not in conformity with fairness and justice. The petitioner would

further aver that he was upgraded as Special Sub-Inspector of Police and retired on attaining the age of superannuation on 30.09.2004. The grievance expressed by the petitioner is that on account of long lapse in conferring him promotion as Grade I Police Constable, the petitioner has lost his promotional opportunity to subsequent post and thereby, he was deprived of his timely promotion. The petitioner, in this regard, has also submitted a representation dated 03.10.2016 to the respondents 1 to 3 and since, no orders have been passed, came forward with this writ petition.

3. The learned counsel appearing for the petitioner would submit that the matter is issue is squarely covered by the order dated 13.07.2016 made in W.P.No.23849 of 2016 [K.Selvam and others v. State of Tamil Nadu, Rep by its Home Secretary, Chennai-600 009] and also the proceedings of the Deputy Inspector General of Police, Tirunelveli Range dated 27.03.2015 passed in compliance of the orders passed in W.P.Nos.2989, 2889 and 4864 of 2011 and in the light of the same, prays for appropriate orders.

4. Heard the submissions of Mr.R.A.S.Senthivel, learned Additional Government Pleader, who accepts notice on behalf of the respondents and also perused the materials placed before it.

5. Though the petitioner has prayed for 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 third respondent to consider and dispose of the petitioner's representation dated 03.10.2016 and pass orders on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs.

सत्यमेव जयते

s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registra

jvm

To

1. The Home Secretary,
State of Tamil Nadu,
Fort St.George,
Chennai-600 009.

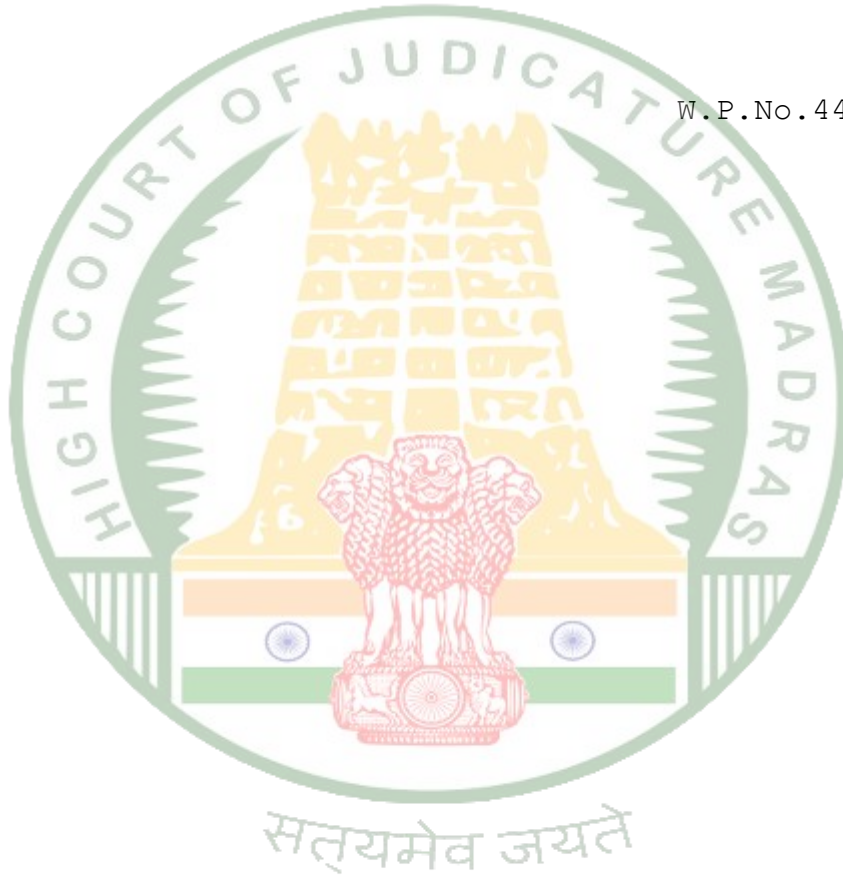
2. The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai-600 004.
3. The Deputy Inspector General of Police,
Post Box No.601, Dr.Radha Krishnan Salai,
Mylapore, Chennai-600 004.

+1 CC to M/s. R. Kathikeyan, Advocate sr 1013

+1 CC to Govt. Pleader sr 780

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RP
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