

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.3465 of 2011

A.Dhyriaseelan
Petitioner

Vs

- 1.The State of Tamil Nadu, represented by the
Principal Secretary to Government, Home Department
Fort St.George, Chennai-09
- 2.The Director General of Police, Chennai-4
- 3.The Superintendent of Police, Salem

Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the Respondents to consider the representation of the Petitioner, dated 26.12.2010, with a further direction to give upgradation to the Petitioner to the post of Special Sub Inspector of Police, on the date of his completion of 25 years of service along with eligible arrears of pay and allowance from time to time to avoid disparity strictly in compliance with GO.Ms.No.15 Home (Police V) Department dated 7.1.2010.

For Petitioner : Mr.P.A.Chithramani

For Respondents : Mr.A.Zakir Hussain, GA-RR1 to

3

ORDER

The prayer in this Writ Petition is to direct the Respondents to consider the representation of the Petitioner, dated 26.12.2010, with a further direction to give upgradation to the Petitioner to the post of Special Sub Inspector of Police, on the date of his completion of 25 years of service along with eligible arrears of pay and allowance from time to time to avoid disparity strictly in compliance with GO.Ms.No.15 Home (Police V) Department dated 7.1.2010.

2. This Court heard the learned counsel on either side and also perused the materials placed on record.

3. The learned Government Advocate, relying on the paragraph 7 of the counter affidavit filed by the Respondents, has submitted that the prayer in this Writ Petition has become infructuous, inasmuch as the representation of the Petitioner, dated 26.12.2010 was duly considered and disposed of and that the Petitioner was not upgraded as a Special Sub Inspector of Police, as he has not completed 10 years of service in the rank of Head Constable as stipulated in GO.Ms.No.937 Home (Police-3) Department, dated 21.07.1998 and the Petitioner was also informed about the said facts through the office endorsement in Rc.No.A1/517/11558/2011, dated: 06.2011.

4. It is seen from the counter affidavit that the representation of the Petitioner dated 26.12.2010 itself was disposed of, which is the prayer sought for in this Writ Petition and hence, nothing survives for adjudication in this Writ Petition. Accordingly, this Writ Petition is dismissed, as nothing survives. No costs.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

Srcm

1.The State of Tamil Nadu, represented by the
Principal Secretary to Government, Home Department
Fort St.George, Chennai-09

2.The Director General of Police, Chennai-4

3.The Superintendent of Police, Salem

+1 CC to Govt. Pleader sr 78773.

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SP(03/12/2018)