

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2018

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.33348 of 2012

Lakshmanan

.. Petitioner

Versus

1. The State of Tamil Nadu
Rep by its Secretary for Home Department,
Fort St.George,
Chennai-9

2. The Director General of Police,
Kamaraj Salai,
Mylapore, Chennai-4

3. The Superintendent of Police
Tirunelveli District,
Tirunelveli

4. M.Karuthapandi

5. P.Velusamy

.. Respondents

PRAYER:Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari to call for the records pertaining to the G.O.(Ms)No.650 dated 19.07.2010 passed by 1st respondent and order passed in D.O.854/2010 C.No.A4/47165/2010 dated 26.07.2010 by the third respondent and quash the same.

For Petitioner :: Mr.M.S.Soundararajan

For RR1-R3 :: Mrs.Sri Jayanthi
(Special Government Pleader)

For R4,R5 :: Mr.N.Dharanikumar

ORDER

The petitioner has filed the present writ petition in the nature of Certiorari to call for the records pertaining to the G.O.(Ms)No.650 dated 19.07.2010 passed by 1st respondent and order passed in D.O.854/2010 C.No.A4/47165/2010 dated 26.07.2010 by the third respondent.

2. The petitioner was appointed as Grade II Police Constable in Armed Reserve on 30.08.1988 in Tirunelveli District. He was subsequently promoted and finally he participated in the Range Promotion Board for the post of Sub Inspector of Police and was also promoted to Sub Inspector of Police on 12.08.2004.

3. The fourth and fifth respondent were also included in 'C' list Head Constable for promotion as Sub Inspector of Police. They had been originally appointed on 01.04.1981. They made representation on 06.10.2008 to the second respondent seeking promotion as Grade I Police Constable in terms of G.O.Ms.No.844 dated 03.06.1997.

4. A writ petition was filed and finally in W.A.No.500 of 2008, by Judgment dated 16.06.2008, thirteen vacancies were directed to be filled up. It had been claimed that the first respondent promoted the fourth and fifth respondent by re-fixing the seniority. However, it is submitted by Mr.M.S.Soundararajan, learned counsel for the petitioner, that the fourth and fifth respondents have already retired from service in the year 30.06.2014 and 31.10.2016.

5. In view of these facts, the writ petition of the petitioner challenging promotion of the fourth and fifth respondents, may not lie.

6. Consequently, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

smv/nvi

To,

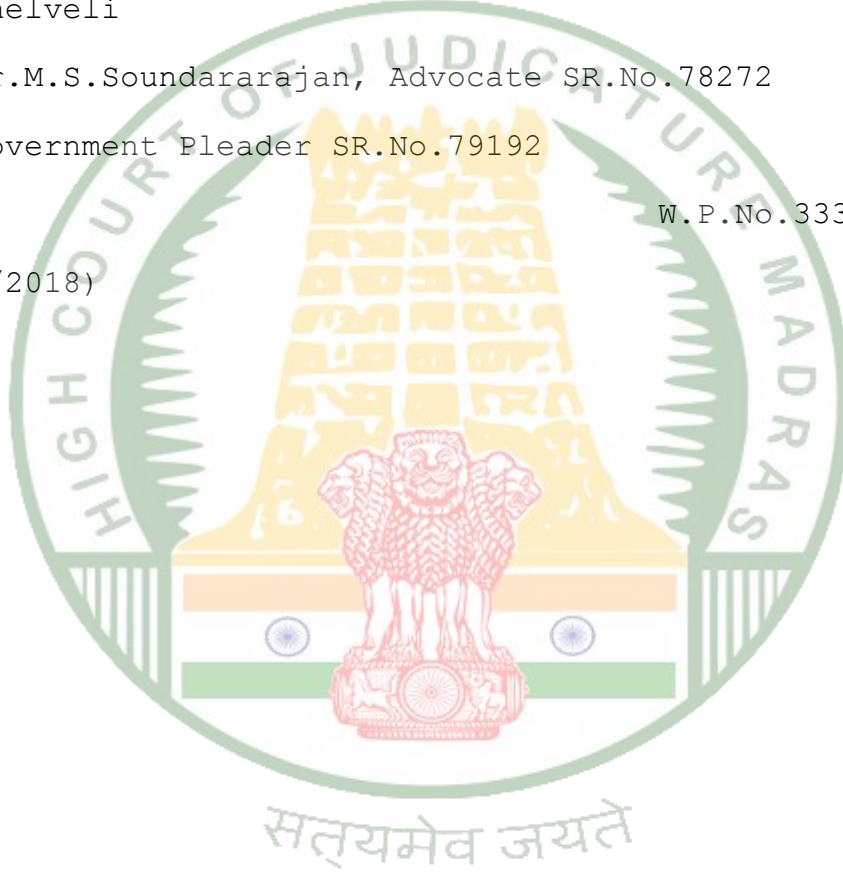
1. The State of Tamil Nadu
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3. The Superintendent of Police
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Tirunelveli

+1cc to Mr.M.S.Soundararajan, Advocate SR.No.78272

+1cc to Government Pleader SR.No.79192

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SJ(CO)
GMY(12/12/2018)



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