

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.03.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.A No.1671 of 2010

N.Chengodan

... Appellant

-Vs-

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Home (Police) Department,
Fort St.George, Chennai - 600 009.

2.The Director General of Police,
State Police Head Quarters Office
Mylapore, Chennai - 600 004.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent against the order passed in W.P No.17179 of 2006 dated 19.06.2009.

W.P.No.17179/2006:

Writ Petition filed under Article 226 of the constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus , calling for the entire records relating to the impugned Order Letter (Ms) No. 351 dated 28.4.2006 on the file of the first respondent and to quash the same and consequently issue direction directing the respondents to promote the petitioner as Deputy Superintendent of police with effect from the due date of promotion as D.S.P. with consequential monetary benefits including revision of pension.

For Appellants : Mr.M.Musthafakhan for
Mr.P.Madhan

For Respondent : Mrs.A.Sri Jayanthi
Spl.Govt.Pleader

J U D G M E N T

[Judgment of the Court was made by
K.K. SASIDHARAN,J.]

The claim made by the appellant for accelerated promotion on the strength of a Government Order passed after his retirement was rejected by the Government. The writ petition filed against the said order was dismissed by the learned single Judge. The appellant is therefore before this Court.

2. The appellant was part of a Special Task Force constituted by the Government to nab Thiru.Veerappan, a notorious smuggler of sandalwood from the forest. The appellant was given Award for taking part in the operation for the elimination of Thiru.Veerappan. The appellant retired from service on attaining the age of superannuation on 31 October 1997.

3. The Government took a policy decision to give accelerated promotion to the Police Officers, who were part of the team constituted for arresting the notorious smuggler. The Government Order was issued in G.O.Ms.No.1349, Home (Police.VIII) Department, dated 6 December 2004.

4. The Government Order was issued seven years after the retirement of the appellant. The benefit of the Government Order was given to those officers who were in service. There is no question of giving accelerated promotion to an employee, who retired about seven years prior to the issuance of the Government Order. The name of the appellant was therefore not included in the panel for accelerated promotion. The learned single Judge on the basis of the background facts dismissed the writ petition.

5. We do not find any ground made out by the appellant to take a different view in the matter.

6. In the upshot, we dismiss the intra court appeal. No costs.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

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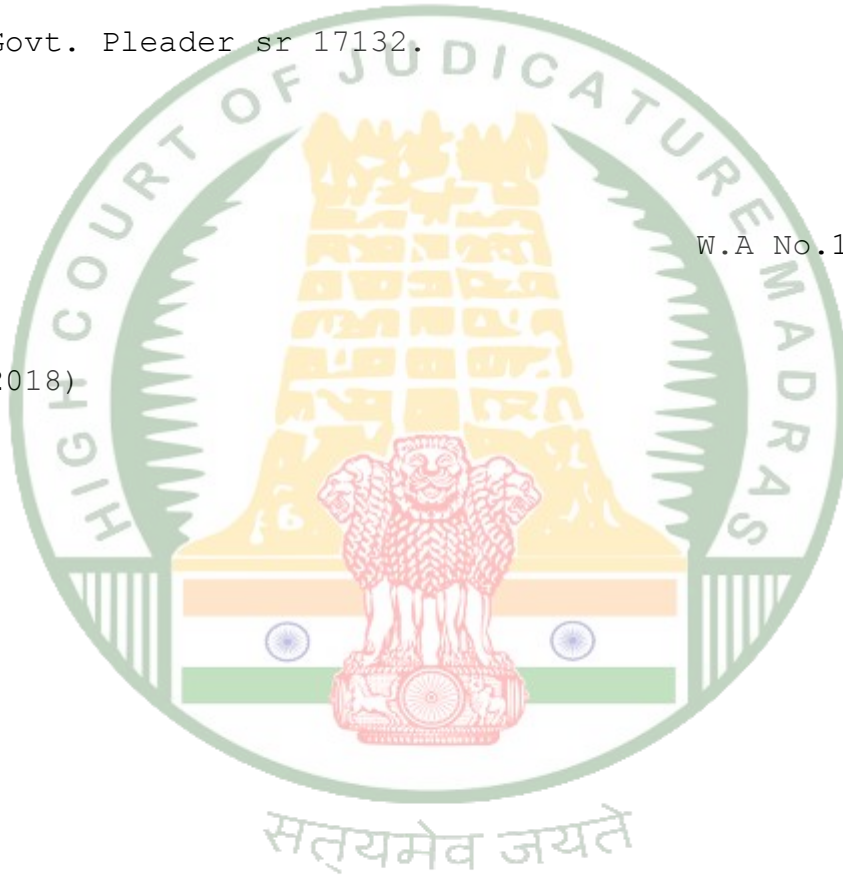
1.The Secretary to Government,
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2.The Director General of Police,
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+1 CC to Govt. Pleader sr 17132.

W.A No.1671 of 2010

NRL (CO)
SP (06/04/2018)



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