

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.09.2018

CORAM

Hon'ble Mr. Justice SATRUGHANA PUJAHARI

W.P.Nos.23634 to 23636 of 2018

K.Irusa Goundan ... Petitioner in W.P.No.23634 of 2018
V.Natarajan ... Petitioner in WP.No.23635 of 2018
K.V.Velayutham ... Petitioner in WP.No.23636 of 2018

vs.

- 1.The State of Tamil Nadu,
rep. by its Home Secretary,
Fort St. George, Chennai-9.
- 2.The Director General of Police,
Kamaraj Salai,
Mylapore, Chennai-600 004.
- 3.The Deputy Inspector General of Police,
Salem Range, Salem.
- 4.The Superintendent of Police,
Salem District, Salem. ... Respondents in all Wps.

PRAYER:- Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus,

(i)directing the respondents to consider the petitioner's representation dated 06.08.2018 and to upgrade as Special Sub-Inspector of Police(SSI) on 24.10.2009, on overall completion of 25 years of service as per G.O.Ms.No.15, Home (Police-V) Department dated 07.01.2010 and as per W.A.No.1506 of 2011 filed before the Madurai Bench of Madras High Court granted the relief and revise the pension and other monetary benefits accordingly and pay the arrears with interest accrued thereon(prayer in WP.No.23634 of 2018).

(ii)directing the respondents to consider the petitioner's representation dated 29.08.2018 and to correct the date of promotion of the petitioner as Special Sub-Inspector of Police(SSI) on up-gradation from 12.06.2005, instead of 07.01.2010 on overall completion of 25 years of service as per G.O.Ms.No.15, Home (Police-V) Department dated 07.01.2010 and as per the judgment of the Madurai Bench of Madras High Court granted the relief and revise the pension and other monetary benefits accordingly and pay the arrears with interest accrued thereon(prayer in WP.No.23635 of 2018).

(iii) directing the respondents to consider the petitioner's representation dated 30.08.2018 and to correct the date of promotion of the petitioner's upgradation as Special Sub-Inspector of Police (SSI) on 17.08.1996 instead of 22.08.2006, on overall completion of 25 years of service as per G.O.Ms.No.15, Home (Police-V) Department dated 07.01.2010 and as per W.A.(MD)No.1506 of 2013 dated 17.05.2013 filed before the Madurai Bench of Madras High Court granted the relief and revise the pension and other monetary benefits accordingly and pay the arrears with interest accrued thereon (prayer in WP.No.23636 of 2018).

For Petitioners (in all Wps): Mr.S.Pushpakaran

For Respondents (in all Wps) : Mrs.R.Janaki
Additional Government Pleader

O R D E R

Heard, Mr.S.Pushpakaran, the learned counsel appearing for the petitioners and Mrs.R.Janaki, the learned Additional Government Pleader, who accepts notice on behalf of the respondents. With the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2. The petitioners in all the aforesaid writ petitions are the pensioners, who have retired from Tamilnadu Police. The grievance of the petitioners is that they have not been accorded upgradation in an appropriate time, while in service i.e., before their superannuation though they have put a long years of unblemished service. All the petitioners have joined as Police Constable Grade II, and promoted to the post of Head Constable under Tamil Nadu Police. But they were not accorded upgradation to the post of Special Sub-Inspector of Police (SSI), on completion of 25 years of service in appropriate time. The writ petitioner in W.P.No.23634 of 2018 was not upgraded at all to SSI, where as other two writ petitioners were upgraded from the earlier date. Hence, the aforesaid petitioners made representations on 06.08.2018, 29.08.2018 and 30.08.2018 respectively, to the first respondent, to accord them upgradation, to SSI from the appropriate date. As the same have not been considered till date, the petitioners have come forward before this Court by way of filing the present writ petitions, seeking a direction to dispose of their representations.

3. It is seen that while they were in service, they have made no grievance. But in the recent past, after a lapse of long years, they have come to this Court seeking for a direction to the respondents to dispose of their representations, which were filed in the recent past. It appears that the petitioners want to resurrect a dead and stale cause of action by filing representation in recent past.

Therefore, I am not inclined to entertain these writ petitions and as such, dismiss the same.

4. Accordingly, all the writ petitions are dismissed. No costs. However, it is open to the respondent department, if they so desire, to consider the case of the petitioners.

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Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

To Sub Assistant Registrar

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

2.The Director General of Police,
Kamaraj Salai,
Mylapore, Chennai-600 004.

3.The Deputy Inspector General of Police,
Salem Range, Salem.

4.The Superintendent of Police,
Salem District, Salem.

+3ccs to Mr.S.Pushpakaran, Advocate S.R.Nos.63792, 63793 &
63794.

+1cc to the Government Pleader, S.R.No.64944

KR/17/10/18

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सत्यमेव जयते

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