

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2018

CORAM:

THE HON'BLE Dr.JUSTICE S.VIMALA

Writ Petition Nos.19172 to 19174 of 2018

R.Gnanasekaran	... Petitioner in WP No.19172/2018
K.Mohamad Hanifa	... Petitioner in WP No.19173/2018
K.Selvaraj	... Petitioner in WP No.19174/2018

..vs..

The Director General of Police, No.4 Radhakrishnan Salai, Mylapore, Chennai - 4	... Respondent in all W.Ps.
---	-----------------------------

Prayer:-

Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to consider the representations made by the petitioners for revision of seniority, dated 10.01.2018.

For Petitioner in all W.Ps.	: Mr.A.Rajakumar
For Respondent in all W.Ps.	: Mr.A.N.Thambidurai, Spl.GP.

C O M M O N O R D E R

These writ petitions have been filed by the petitioners seeking directions to the respondent to consider the representations made by the petitioners, dated 10.01.2018, by which revision of seniority is claimed.

Brief facts:

2. A Range Promotion Board was convened by the authorities, during 2004, for the post of Sub-Inspector of Police and the petitioners had participated in the same. Subsequent to the participation, the petitioners' names were included in the list of selected candidates. Many of them were given postings, but the petitioners' names were not considered for want of vacancies. Some vacancies occurred in the Trichy Range (where the petitioners were working) during the year 2004 and the persons from the other range, namely, Thanjavur, were inserted in the Trichy range and were given promotion. Hence, the chance of getting promotion during 2004 became an impossibility. Subsequently, the petitioners had to be considered for promotion

as temporary sub-inspector of Police in the year 2006, however, the promotion was given as Sub-Inspector of Police only in the year 2010 and the post of Sub-Inspector of Police was regularized only on 06.09.2011. Hence, the chance of promotion of the petitioners have been stalled in every avenue of promotion. Therefore, these writ petitions have been filed by the petitioners.

3. Heard both sides.

4. It is the contention of the learned counsel appearing for the petitioners that the petitioners have to be considered for promotion in the year 2004, but the promotion was given to the persons from other range, hence, the opportunity for the petitioners to be considered for promotion, in time, has been lost; it is settled law that the promotion is a right of any Government servant and the same should not be delayed and hence, the delay in giving promotion is highly unsustainable in law.

5. The learned Additional Public Prosecutor was heard on the submissions made by the learned counsel appearing for the petitioners.

6. In view of the limited relief sought for, without dwelling into the merits of the matter, this Court directs the respondents to consider the (individual) representations dated 10.01.2018, submitted by the petitioners and to pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. These writ petitions are disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//
Sub Assistant Registrar

srk

To

The Director General of Police,
No.4 Radhakrishnan Salai,
Mylapore, Chennai - 4

+3cc to Mr.A.Rajakumar, Advocate, S.R.No.80521
+1cc to the Government Pleader, S.R.No.81378

Writ Petition Nos.19172 to 19174 of 2018

kan(co)
cs/14/12/2018