

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.16647 of 2010

N.Nainar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep.by its Secretary to Government,
Home Department, Fort St.George,
Chennai - 600 009.
2. The Director General of Police,
Kamarajar Salai, Mylapore,
Chennai - 600 004.
3. The Deputy Inspector General of Police,
Thirrunelveli Range, Thirunelveli.
4. The Superintendent of Police,
Thirunelveli District, Thirunelveli.
5. Ganapathy
6. Jayaraman
7. Rajan
8. Boomibalan
9. Soundarajan
10. Shankar
11. Nagarajan
12. Bhaskar
13. Muthukrishnan
14. Lakshmanan
15. Sadhu Chidambaram
16. Senthamarai Kannan
17. Seetharaman
18. Ponnusamy
19. Sappany
20. Muthupandy

(Respondents 7 and 13 were given up vide order of this Court dated 21.06.2018)

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the claims of the petitioner for promotion as Sub Inspector of Police (Armed Reserve) Thirunelveli District Rural by granting Seniority to the Petitioner in terms of G.O. (Ms).No.844, Home (Police 5) Department, dated 03.06.1997 and as per Rule 25 (b) of the Special Rules for Tamil Nadu Police Subordinate Service Rules by placing him above the respondents 5 to 20 in the seniority list of Head Constables (Armed Reserve) Thirunelveli District Rural and fix his seniority from the date of appointment with all consequential promotion and monetary benefits, in pursuant to the petitioner's representations dated 27.06.2009, 30.08.2009 and 23.07.2010.

For Petitioner : Mr.G.Elanchezhiyan
For R1 to R4 : Mr.J.Ramesh, AGP
For R5, R8 to R12 :
R14 & R16 : Mr.M.S.Soundararajan
For R13,R15,R17 to R20 : No appearance

O R D E R

The prayer made in this writ petition is to issue a mandamus, directing the respondents 1 to 4 to consider the claim of the petitioner for promotion as Sub Inspector of Police (Armed Reserve) Thirunelveli District Rural by fixing his seniority in terms of G.O.(Ms).No.844, Home (Police 5) Department, dated 03.06.1997 and as per Rule 25 (b) of the Special Rules for Tamil Nadu Police Subordinate Services Rules by placing him above the respondents 5 to 20 in the seniority list of Head Constables (Armed Reserve) Thirunelveli District Rural, with all consequential promotion and monetary benefits, based on his representations dated 27.06.2009, 30.08.2009 and 23.07.2010.

2.When the matter was taken up for consideration, the learned Additional Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that the representation of the petitioner be considered by the respondents on merits and in accordance with law, within a time frame to be fixed by this Court.

3.In view of the submission so made by the learned Additional Government Pleader appearing for the respondents 1 to 4, this Court directs the respondent concerned to consider the representation of the petitioner dated 23.07.2010 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to all the parties

concerned, within a period of six weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rk

To

1. The State of Tamil Nadu,
Rep.by its Secretary to Government,
Home Department, Fort St.George,
Chennai - 600 009.
2. The Director General of Police,
Kamarajar Salai, Mylapore,
Chennai - 600 004.
3. The Deputy Inspector General of Police,
Thirrunelveli Range, Thirunelveli.
4. The Superintendent of Police,
Thirunelveli District, Thirunelveli.

+lcc to Mr.G.Elanchezhiyan, Advocate Sr.48795
+lcc to the Government Pleader Sr.48931

सत्यमेव जयते

W.P.No.16647 of 2010

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srg 14/09/2018

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