

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

W.P.No.19127 of 2007

and

M.P.No.2 of 2007

R.Chenrayan

...Petitioner

Versus

The Director General of Police,
Law & Order,
Chennai - 600 004.

.. Respondent

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of certiorarified mandamus, calling for the records relating to the impugned order of the respondent in C.No.14117/NGB7 (2)/2007, dated 12.02.2007 and quash the same and consequently direct the respondent to promote the petitioner as Sub Inspector of Police on acceleratory promotion on basis and in the light of G.O.Ms.No.1252, dated 29.10.2004 and G.O.Ms.No.1346, dated 6.12.2004.

For Petitioner : Mr.T.Dhanasekaran

For Respondent : Mr.K.Ravi Kumar
Additional Government Pleader

O R D E R

This writ petition has been filed challenging the order dated 12.2.2007, in and by which, the official respondent has rejected the petitioner's request for grant of acceleratory promotion.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the materials available on record.

3.The case of the petitioner is that he was worked as a Head Constable at Perumbalai Out Post Police Station, Eriyar, Dharmapuri District. In the year 1999, the respondent police formed a police group against the Sandalwood smuggler namely Veerappan and his gang members, connected with the case in Crime No.319 of 1999 of Panchagaram Police Station. The then Superintendent of

Police vide proceedings dated 25.7.2002, transferred the petitioner to Eriyur Police Station from Hogenakkal, to perform Special Intelligence duties to nab the Naxalites, Sandalwood Smuggler Veerappan and his gang members and the petitioner also played a very important role to nab the above said accused, Thereafter, the Superintendent of Police recommended his name for acceleratory promotion vide proceedings dated 16.12.2002. Subsequently, the Superintendent of Police, Dharmapuri also recommended his name for monetary benefits and allowance equivalent to that of Special Task Force members, to the Additional Director General of Police, Special Task Force on 31.5.2004.

4. It is further stated that as per G.O.Ms.No.292, Environment and Forest Department, dated 28.10.2004, the Government had awarded promotion and monetary benefits to other persons. However, the petitioner was not sponsored by the Government to avail the monetary benefits. Accordingly, the petitioner made a representation dated 29.06.2006 to the respondent, requesting him to consider and extend the privilege of the police personnels in Taluk Police, who were deputed on special duty for combing operation and for collection of intelligence on the movement of Veerappan gang. However, the same was returned with an instruction that the representation may be submitted to the respondent. Since it was not considered, the petitioner filed a writ petition in W.P.No.48939 of 2006.

5. This Court by an order dated 18.12.2006, directed the respondent to consider the representation of the petitioner dated 29.6.2006 in accordance with law, within a period of eight weeks from the date of receipt of a copy of that order. However, without considering the said request, the respondent mechanically rejected the said claim of the petitioner. Hence, the present writ petition.

6. The learned counsel for the petitioner submitted that though there was recommendation by the then Superintending Officer, to consider the petitioner's name for monetary benefits and for acceleratory promotion, however, the petitioner's name was not considered.

7. On a perusal, it is seen that the authority had considered his request, however, the petitioner had not satisfied with the eligibility criteria and also not satisfied with the norms adopted by the Special Task Force personnels for acceleratory promotion, hence, the Superintendent of Police, who is incharge of the Special Task Force, categorically, rejected the request of the

petitioner stating that the petitioner did not serve in the Special Task Force nor took part in the special force. Since the authority incharge of the Special Task Force also did not recommend the petitioner's case for acceleratory promotion on the ground that the petitioner was not involved himself in any of the task taken by the respondents and more over, the petitioner has not produced any materials to show that he had participated or involved in the Special Task force, this Court cannot interfere with the order passed by the later authority.

8. Accordingly, this writ petition is dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

ms

To

The Director General of Police,
Law & Order,
Chennai - 600 004.

+1 CC TO GOVERNMENT PLEADER SR.NO. 45311.

W.P.No.19127 of 2007

MR(CO)
ASK(07/08/2018)

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