

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.30553 of 2018

N.Radhakrishnan

... Petitioner

Vs

1.Director General of Police
Chennai - 600 004.

2.Superintendent of Police
District Police Office
Cuddalore District.

.... Respondents

For Petitioner : Mr.G.Bala
For Respondents : Mr.A.N.Thambidurai,
Special Govt.Pleader

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first repondent to consider and pass orders on the petitioner's representation dated 29.08.2017 regarding upgradation to the post of Grade 1 Constable, Head Constable and Special Sub-Inspector of Police with effect from 1999, 2004 and 01.05.2014 respectively in the light of G.O.Ms.No.13 Home (Police V) Department 06.01.2010, G.O.s.No.15, Home Police (V) Department dated 07.01.2010 and G.O.Ms.No.581 Home (Police V) Department dated 06.07.2006 within a time frame.

WEB COPY
O R D E R

The petitioner, currently working as Head Constable, is in service for the past 29 years. His date of joining is 30.04.1989. The Government, by G.O.Ms.No.15 dated 07.10.2010, provided that the constables who have completed 25 years of service, out of which 10 years of service have been completed as Head Constables, may be given upgradation as Special Sub Inspectors of Police from the first of the month succeeding the date of completion of 25 years by the respective DIG of Police / Commissioner of Police.

2. Since the petitioner has completed 29 years of service and has been holding the post of Head constable since 29.01.2017 (11 years), he sent a representation dated 29.08.2017 requesting his upgradation to the post of Special Sub-Inspector of Police in the light of G.O.Ms.No.15 Home (Police V) Department dated 07.01.2010. The said representation has not been considered till date and hence the petitioner has approached this Court by way of the present writ petition.

3. Mr. A.N.Thambidurai, learned Special Government Pleader takes notice on behalf of the respondents. Heard the learned counsel on either side and perused the materials placed on record.

4. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the respondents to consider the representation of the petitioner dated 29.08.2017 and pass orders on the same within a particular time frame.

5. In the above circumstances, the respondents are directed to consider the representation of the petitioner dated 29.08.2017 in the light of G.O.Ms.No.581 Home (Police V) Department dated 06.07.2006, G.O.Ms.No.13 Home (Police V) Department 06.01.2010, G.O.Ms.No.15, Home Police (V) Department dated 07.01.2010 and, on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

KST

To

1. Director General of Police, Chennai - 600 004.

2. Superintendent of Police,
District Police Office
Cuddalore District.

+1cc to Mr.G.Bala & Daisy, Advocate, S.R.No.79820

+1cc to the Government Pleader, S.R.No.80491

W.P.No.30553 of 2018

RV(CO)

GSP(26/12/2018)