



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **R.SURESH KUMAR**W.P. (MD) No.10327 of 2018

P.Rengasamy ...Petitioner
-Vs-

1.The State Represented by,
Home Secretary,
(Prison) Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Additional Direct General of Police /
Inspector General of Prison,
Office of the Additional Direct General of police /
Inspector General of Prison,
Egmore, Chennai-600 008.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Thirumayam,
Pudukkottai District.

..Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to give my petitioner notional promotions on a par with my juniors with effect from 2012 and consequently directing them to pay all the monetary benefits, personal benefits to my petitioner in accordance with law within the time stipulated by this Court.

For Petitioners : Mr.S.Malaikani

For Respondents : Mr.M.Murugan
Government Advocate

ORDER

The prayer sought for in this Writ Petition is for a writ of Mandamus, to direct the respondents to give notional promotion to the petitioner on a par with juniors of the petitioner with effect from 2012 and consequently direct them to pay all the monetary benefits, personal benefits to the petitioner in accordance with law within the time stipulated by this Court.



2. Heard Mr.S.Malaikani, learned counsel, appearing for the petitioner, and Mr.M.Murugan, learned Government Advocate, who takes notice on behalf of the respondent. By consent of both parties this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The learned counsel appearing for the petitioner would submit that the petitioner has retired from service after rendering a long years of service in the respondent department and some of the juniors of the petitioner had been given promotion and in respect of his repeated request of the petitioner, the request of the petitioner was not considered for promotion in spite of his long service of more than 24 years and therefore, in order to get notional promotion on par with his juniors, the petitioner has given representation on 08.12.2017 and if the said representation is directed to considered and order to that effect is directed to be passed in this regard, the petitioner shall be satisfied.

4. The learned Government Advocate appearing for the respondents, would submit that the representation of the petitioner, dated 08.12.2017 would be considered by the respondents and orders to that effect would be passed within the time frame to be stipulated by this Court.

5. Considering the said submission made by the learned counsel appearing on both sides, this Writ Petition is disposed of with the following direction:-

"that the second respondent is directed to consider the representation of the petitioner dated 08.12.2017 and pass orders thereon on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order."
No costs.

Sd/-

Assistant Registrar(T & P)

/True Copy/

Sub Assistant Registrar

To

1. The State Represented by,
Home Secretary,
(Prison) Department,
Fort St. George,
Chennai-600 009.



2. The Additional Direct General of Police /
Inspector General of Prison,
Office of the Additional Direct General of police /
Inspector General of Prison,
Egmore, Chennai-600 008.

WEB COPY

3. The Superintendent of Police,
Office of the Superintendent of Police,
Thirumayam,
Pudukkottai District.

+1cc to Mr.S.MALAIKANI, Advocate in SR.No.64592

+1cc to SPECIAL GOVERNMENT PLEADER, Advocate in SR.No.64979

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SB/KKR/SAR3/28.05.2018/3P/6C

W.P.(MD)No.10327 of 2018
28.04.2018