



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.07.2018
CORAM :
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.14843 of 2018

WEB COPY

S.Manoharan

... Petitioner

Vs.

1.The State of Tamil Nadu
rep. by the Home Secretary,
Department of Home,
St. George Fort, Secretariat,
Chennai - 9.

2.The Director General of Police (L&O)
O/o.the Director General of Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai - 4.

3.The Commissioner of Police,
O/o.the Commissioner of Police,
Salem City, Salem.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.1 to consider the petitioner for notional promotion to the post of Additional Superintendent of Police (Category-II) with effect from 01.05.2018 on par with the petitioner's Junior and Colleagues with all consequential benefits within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash
For Respondents : Mrs.S.Srimathy, Spl.G.P.

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondent No.1 to consider the petitioner for notional promotion to the post of Additional Superintendent of Police (Category-II) with effect from 01.05.2018 on par with the petitioner's Junior and Colleagues with all consequential benefits within the time stipulated by this Court.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Heard Mr.I.Pinaygash, learned counsel appearing for the



petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.

3.The learned counsel appearing for the petitioner would submit that though a criminal proceeding was initiated against the petitioner, subsequently, it was quashed by this Court in Crl.O.P. (MD) No.9667 of 2007. Because of the said pendency of the case, the petitioner's seniority was not fixed and he was not given due promotion as Additional Superintendent of Police. Even subsequent to the said quashment, when the petitioner made request for giving notional promotion, it was not considered. Therefore, the petitioner had given written representation on 26.06.2018 to the first respondent to consider his request for promotion as Additional Superintendent of Police in the existing panel. Therefore, the learned counsel appearing for the petitioner would submit that, if the said representation is directed to be considered and an order on merits in that representation is directed to be passed, within a time frame, the petitioner would be satisfied.

4.I have heard the learned Special Government Pleader appearing for the respondents, who would submit that the said request of the petitioner dated 26.06.2018 would be considered on merits and an order to that effect would be passed, within a time frame.

5.Considering the limited scope of the writ petition, this Court is inclined to pass the following order:

"The first respondent is directed to consider the request of the petitioner dated 26.06.2018, with regard to the grievance of his promotion to Additional Superintendent of Police and decide the same on merits and in accordance with law and pass orders thereon, within a period of twelve weeks from the date of receipt of copy of this order."

6.With the above direction, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar(CS-IV)

To

1.The Home Secretary,
State of Tamil Nadu
Department of Home,
<https://hcservices.ecourts.gov.in/hcservices/>
St. George Fort, Secretariat,
Chennai - 9.



2.The Director General of Police (L&O)
O/o.the Director General of Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai - 4.

3.The Commissioner of Police,
O/o.the Commissioner of Police,
Salem City, Salem.

+1cc to Mr.I.PINAYGASH, Advocate, SR.No.72231

+1cc to M/s.Special Government Pleader,SR.No. 72523

W.P (MD) No.14843 of 2018
11.07.2018

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