



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.15503 of 2018

M.Somasundaram

... Petitioner

Vs.

1. The Secretary to the Government,
Home Department, Secretariat,
St.George Fort, Chennai.

2. The Director General of Police,
Tamilnadu, Chennai-600 004.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to promote the petitioner to the post of Deputy Superintendent of Police (Category-I) for the year 2015-2016, as per the Rule 39 of General Rules for Tamil Nadu State and Subordinate Services, within a time frame fixed by this Court.

For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mrs.S.Srimathy

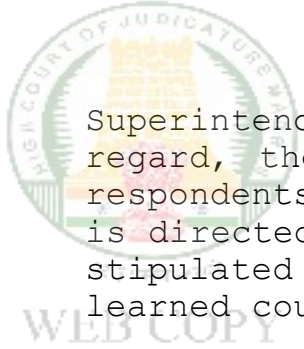
Special Government Pleader

ORDER

The prayer sought for herein, is for a Writ of Mandamus, to direct the first respondent to promote the petitioner to the post of Deputy Superintendent of Police (Category-I), for the year 2015-2016, as per the Rule 39 of General Rules for Tamil Nadu State and Subordinate Services, within a time frame fixed by this Court.

2. Heard Mr.J.Jeyakumaran, learned counsel for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader for the respondents.

3. The petitioner was appointed as Sub-Inspector of Police on 01.03.1996 and has been working as such. While so, there was a criminal proceedings, initiated in connection with the Crime No.177 of 1999 on the file of the Talamuthu Nagar Police Station, Tuticorin District. Accordingly, he was placed under suspension from 19.09.1999. Thereafter, the petitioner approached the Tamil Nadu Administrative Tribunal, by filing original application, challenging the suspension order and also approached this Court, by filing writ petition, seeking inclusion of his name for promotion to the post of Inspector of Police. Thereafter, the petitioner had been promoted as Inspector of Police on 29.12.2009. Because of the belated promotions, the petitioner's further promotion to the post of Deputy



Superintendent of Police, was not considered. Therefore, in this regard, the petitioner has given a detailed representation to the respondents on 30.10.2017 and therefore, if the said representation is directed to be considered by the respondents, within a time frame stipulated by this Court, the petitioner would be satisfied, the learned counsel for the petitioner contended.

4. The learned Special Government Pleader appearing for the respondents would submit that the petitioner's request dated 30.10.2017 would be considered on merits and an order to that effect shall be passed within a time frame stipulated by this Court.

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

"that the representation of the petitioner dated 30.10.2017 shall be considered by the respondents and an order to that effect shall be passed, within a period of eight weeks from the date of receipt of a copy of this order."

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

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to the Government,
Home Department, Secretariat,
St.George Fort, Chennai.

2. The Director General of Police,
Tamilnadu, Chennai-600 004.

+1CC to Mr.J.Jeyakumaran, Advocate, SR.No.73469

+1CC to the Special Government Pleader SR.No. 73551

W.P. (MD) No.15503 of 2018
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PNN

ES/RP/SAR 2/19.07.2018/2P/5C