

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.11265 of 2011

V.Purushotham Raju
S/o.V.Chengamaraju
Formerly Head Constable 1285
Pennalurpettai P.S.
Thiruvallur District.

Petitioner

Vs

1.The Secretary to Government
Home (Police V Department)
Fort St George, Chennai-9.

2.The Director General of Police
Dr.Radhakrishnan Salai
Mylapore, Chennai-4.

3.The Superintendent of Police
Thiruvallur District, Thiruvallur.

Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a writ of Mandamus directing the respondents to consider the claim of the petitioner for upgradation as the Special Sub Inspector of Police by taking into consideration the total service rendered by him from 15.11.1975 to 31.08.2009 and upgrade him as Special Sub-Inspector of Police from 2000 onwards and grant him all consequential service and monetary benefits.

For Petitioner : R.Dhineshkumar

For Respondents : Mr.A.Zakir Husain
Government Advocate for R1 to R3.

ORDER

This Writ Petition is filed praying to direct the respondents to consider the claim of the petitioner for upgradation as the Special Sub Inspector of Police by taking into consideration the total service rendered by him from 15.11.1975 to 31.08.2009 and upgrade him as Special Sub-

Inspector of Police from 2000 onwards and grant him at consequential service and monetary benefits.

2. The learned counsel for the Petitioner submits that the Petitioner made a representation dated 24.10.2010 to the respondents seeking to consider the total service as Police Personnel from the year 1975 to 2009 and relax the rules in respect of upgradation as Special Sub Inspector of Police and to grant all consequential service and monetary benefits. He further submits that no order has been passed on the said representation. Therefore, the present writ petition is filed.

3. The learned Government Advocate, appearing for Respondents 1 to 3, on instructions, would submit that as per criteria laid down in G.O.Ms.No.15 Home (Pol.5) Department, dated 07.01.2010, the Petitioner is not eligible for upgradation as Special Sub Inspector of Police w.e.f.2000 as the above G.O., was implemented w.e.f. 07.01.2010. However, the learned Government Advocate fairly submits that no order has been passed on the representation of the Petitioner dated 24.10.2010.

4. In the light of the above submission, without going into the merits of the case, the 2nd respondent is directed to consider the Petitioner's representation in the light of G.O.Ms.No.15 Home (Pol.5) Department dated 07.01.2010 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

nvsri

To

1.The Secretary to Government
Home (Police V Department)
Fort St George, Chennai-9.

2.The Director General of Police
Dr.Radhakrishnan Salai
Mylapore, Chennai-4.

3.The Superintendent of Police
Thiruvallur District, Thiruvallur.

+1cc to Mr.M.Muthappan, Advocate, S.R.No. 6419
+1cc to the Government Pleader, S.R.No. 6492

WP.11265 of 2011

CA(CO)
GN(28/02/2019)