

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2019

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.5420 of 2009

S.Chindambaram

.. Petitioner

Vs

The Director General of Police,
Chennai-4.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari to call for the records of the respondent in connection with the impugned order passed by him in RC No.234066/NGBII(3)/2008, dated 16.02.2009 and quash the same and direct the respondent to consider the claim of the petitioner for promotion as Superintendent for the year 2008-09 and promote him as Superintendent and grant him all consequential service and monetary benefits.

For Petitioner : Mr.M.Muthappan

For Respondent : Mr.K.Ravikumar, AGP

ORDER

Questioning the memorandum dated 16.02.2009 informing the petitioner that he would be considered for the next panel year i.e. for the year 2009-2010, the petitioner has filed this writ petition.

2. Learned Additional Government Pleader for the respondent has filed a counter affidavit and it is seen from paragraph No.9 of the counter affidavit that the petitioner's name was included in the list of Assistants fit for promotion as Superintendent for the year 2008-09 and thereby he was also promoted as temporary Superintendent and posted at TSP Regimental Centre, Avadai. He was also retired from the services on superannuation on 30.06.2009 itself. For better appreciation, paragraph Nos.9 and 10 thereof are extracted below:-

"9. On scrutiny of the service of book of Thiru S.Chidambaram and other official records it is found that his service as LGGS was terminated and reappointed as JA with effect from 10.01.1986 and hence his name was again fixed in original seniority (ie) in the C list of JAs/Typists fit for promotion as Assistant for the year 1993-94 as Sl.No.352. As such, his name was included in the list of Assistants fit for promotion as Superintendent for the year 2008-09 and promoted as temporary Superintendent and posted as TSP Regimental Centre, Avadi. He was also retired from service on superannuation on 30.06.2009 as Superintendent.

10. It is also submitted that his pay was also ordered to be fixed under FR 22 (1)(a)(i) and FR 22(B) from the date of serving as temporary Superintendent. Hence, the prayer of the petitioner has already been complied with."

3. In view of the above, nothing survives for further adjudication in this matter and accordingly, the writ petition is dismissed as infructuous. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rkm

To

The Director General of Police,
Chennai-4.

+1cc to the Government Pleader, S.R.No.43148

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AD(CO)
CS/27/06/2019