

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2019

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.Nos.11585 and 11586 of 2018

M.Rangasamy ... Petitioner
in W.P.No.11585 of 2018

R.Damodaran ... Petitioner
in W.P.No.11586 of 2018

Vs

1.The Director General of Police,
Chennai - 600 004.

2.The Secretary to Government,
Home (Police II) Department,
Fort St. George,
Chennai - 600 009.

... Respondents
in both writ petitions

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the claim of the petitioners for promotion as Deputy Superintendent of Police, Category-I on par with their batch mates and juniors in the light of the representation made by them dated 30.12.2015 within a reasonable time.

For Petitioner : Mr.K.Venkata Ramani, Senior Counsel
for Mr.M.Muthappan
in both writ petitions

For Respondents: Mr.D.Suriya Narayanan
Additional Government Pleader
in both writ petitions

C O M M O N O R D E R

The common relief sought for in these writ petitions is for a direction to direct the respondents to consider the claim of the petitioners for promotion as Deputy Superintendent of Police, Category-I, on par with their batch mates and juniors in

the light of the representation made by them, dated 30.12.2015, within a reasonable time.

2.The learned Senior Counsel appearing on behalf of the petitioners states that the right of promotion had been denied to the writ petitioners with reference to the rules, long back from the year 1987 onwards and even in the cadre of Head Constable of Police, the right of promotion to the post of Sub-Inspector of Police was not granted to the writ petitioners. Though, they had raised objections, their juniors were promoted upto the level of Deputy Superintendent of Police, but, the said benefit had not been extended to the writ petitioners, despite the fact that the writ petitioners were fully qualified during the relevant point of time.

3.As far as the arguments advanced by the learned Senior Counsel in relation to the promotion of the juniors to the writ petitioners, during the years 1987, 1992 and 2000, and their objections are concerned, now, after a lapse of more than two decades, the same cannot be considered. The writ petitioners were in police service and therefore, they cannot plead any ignorance of rules or Government Orders and file representation (s) or writ petition(s), after a lapse of about 14 and 12 years from the date of their retirement, respectively.

4.Even at the time of filing the writ petition, the writ petitioners were aged more than 67 years and therefore, the question of granting the relief as sought for in the present writ petitions to grant retrospective promotion on par with their juniors, at this length of time, would not arise at all.

In view of the fact that there is an enormous delay on the part of the writ petitioners in pursuing their remedy, this Court is not inclined to entertain these writ petitions and accordingly, these writ petitions stand dismissed on the ground of laches. No costs.

सत्यमेव जयते

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Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Director General of Police,
Chennai - 600 004.

2.The Secretary to Government,
Home (Police II) Department,
Fort St. George,
Chennai - 600 009.

+1cc to Mr.M.Muthappan, Advocate Sr.15171

+1cc to the Government Pleader Sr.14592

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pm[col]
srg 28/03/2019



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