

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.02.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12798 of 2018

K.Arif Basha

.. Petitioner

..vs..

1.The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Department of Home (Police),
Secretariat,
Chennai - 600 009.

2.The Director General of Police,
Head of Police Force,
Mylapore, Chennai - 600 004.

3.The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai - 600 007.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider mercy petition of petitioner dated 21.07.2017 for granting notional promotion as Sub Inspector of Police (Armed Reserve - in the year 2000) by revising his seniority taking into account of his date of appointment on par with his juniors and similarly placed persons, and grant consequential promotions and other service benefits within stipulated time.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.A.N.Thambidurai

Special Government Pleader

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O R D E R

The order of rejection in respect of the claim of the writ petitioner for grant of notional promotion on par with his junior is the cause for filing of the present writ petition.

2.The learned counsel for the writ petitioner states that in view of the fact that the Commissioner of Police rejected his claim for the grant of notional promotion, he preferred an appeal before the first respondent on 21.07.2017. However, the

seal affixed in the writ petition shows that the copy of the appeal was submitted before the Commissioner of Police. However, the said appeal is to be forwarded to the first respondent for further consideration.

3. May that it be, this Court is of an opinion that the writ petitioner may sent another copy of the appeal to the first respondent. Under these circumstances, without going into the merits of the matter, first respondent is directed to consider the representation submitted by the writ petitioner and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all the other relevant documents along with the order passed in this writ petition.

4. Accordingly, the present writ petition stands disposed of. However, there shall be no order as to costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

Pns

To

1.The Principal Secretary to Government,
Department of Home (Police),
Secretariat,
Chennai - 600 009.

2.The Director General of Police,
Head of Police Force,
Mylapore, Chennai - 600 004.

3.The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai - 600 007.

+1 CC to Mr.M.R.Jothimanian, Advocate sr 14414.

+1 CC to The Govt. Pleader sr 15138.

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KJI (CO)
SP(11/03/2019)