

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19-02-2019

CORAM

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

W.P.No.13979 of 2018

E.Sivakumar

.. Petitioner

- Vs. -

1.The Principal Secretary to Government,
Home (Pol.5) Department,
Secretariat,
Chennai-600 009.

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

3.The Superintendent of Police,
District Police Office,
Kanchipuram District
@ Kanchipuram.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent herein to consider and pass orders on the petitioner's representation dated 1.9.2017 given for retrospective promotion as Head Constable on par with batch mates in the light of G.O.Ms.No.768, Home (Pol.5) Department, dated 14.10.2014.

For Petitioner : Mr.Ravi Shanmugam

For Respondents : Mr.D.Suriya Narayanan,
Additional Government Pleader.

O R D E R

The grievance of the writ petitioner is that the writ petitioner is deprived of his right to promotion on par with his juniors in the post of Head Constable, more specifically, along with his batch mates in the light of G.O.Ms.No.768, Home Department, dated 14.10.2014.

2. The learned Additional Government Pleader, appearing on behalf of the respondents, brought to the notice of this Court that the case of the writ petitioner Mr.E.Sivakumar has already been considered and the Director General of Police recommended the case of the writ petitioner in proceedings dated 28.8.2018 to the Additional Chief Secretary to Government, Home Department, Chennai-9 and the proposal is now pending before the Government for consideration.

3. Under these circumstances, the first respondent is directed to consider the representation submitted by the writ petitioner on 1.9.2017 and pass 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. The writ petitioner is directed to enclose the copy of the said representation and the relevant documents, if any along with the order passed in this writ petition.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Principal Secretary to Government,
Home (Pol.5) Department,
Secretariat,
Chennai-600 009.

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

3.The Superintendent of Police,
District Police Office,
Kanchipuram District @ Kanchipuram.

+1 cc to The Government Pleader, Sr.No.15608
+1 cc to Mr.Ravishanmugam, Advocate Sr.No.15325

WP NO.13979 of 2018

CA(CO)
CSL/15.03.2019