



W.P.(MD).No.11656 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.11656 of 2013

R.B.Chinna Karutha Pandi

Vs.

... Petitioner

- 1.The Principal Secretary to the Government,
Home (Police-III) Department,
Secretariat, Chennai – 09.
- 2.The Director General of Police,
Law and Order,
Beach Road,
Chennai – 4.
- 3.The Inspector General of Police,
South Zone, Madurai.
- 4.Dy.Inspector General of Police,
Ramanathapuram Range,
Ramanathapuram.
- 5.Superintendent of Police,
Chairman, Range Promotion Board,
Ramnad.
- 6.Superintendent of Police,
Chairman, Range Promotion Board,
Sivagangai.



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7.Mr.Chandran,
Inspector of Police (A.R),
Armed Reserve Motor Transport,
Perambalur.

8.S.Mahandran,
Inspector of Police (A.R) Traffic
Bodinayakkanur, Theni District.

9.Palani Kumar,
Inspector of Police,
Armed Reserve Police,
Virudhunagar.

10.Mohan Kumar,
Inspector of Police,
Armed Reserve Police,
Ramnad.

11.Muthuramalingam,
Inspector of Police,
Armed Reserve,
Kamuthi Special Force,
Ramnad District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to place the petitioner above the seventh respondent and promote the petitioner notionally as Sub Inspector of Police (AR) from the year 2003 with consequential promotion and all monetary benefits.

For Petitioner : Mr.T.Lajapathiroy

For R-1 to R-6 : Mrs.D.Farjana Ghoushia,
Special Government Pleader.



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ORDER

This Writ Petition is filed for Mandamus directing the respondents to consider the petitioner's claim to keep the promotion above the seventh respondent and promote the petitioner notionally as Sub Inspector of Police (AR) from the year 2003 with consequential promotion and all monetary benefits.

2. When this case was taken up for hearing on 28.08.2019, the petitioner did not present before this Court either through his counsel or in person. Hence, the Writ Petition was dismissed for non-prosecution. The petitioner has filed the restoration petition in W.M.P.(MD).No.5055 of 2022 in W.P.(MD).No. 11656 of 2013 and the restoration petition is allowed.

3. The claim of the petitioner is to keep the petitioner's name in the appropriate seniority and grant promotion. The contention of the petitioner is that some persons were transferred from Tirunelveli to Ramnad. While considering for promotion, the transferred persons were considered and granted promotion. The respondents ought to have followed the Rule, whenever employees are transferred from one place to another place, he should be kept as junior most in the seniority list.



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4. Therefore, this Court deems it fit to direct the respondents to consider and pass orders by taking appropriate rules that is applicable to the said post.

5. With the above direction, this Writ Petition is disposed of. The petitioner is at liberty to submit a fresh representation along with a copy of this order. The respondents shall consider the same and pass orders as per law within a period of eight (8) weeks from the date of representation given by the petitioner. There shall be no order as to costs.

**17.11.2022
(2/2)**

Index : Yes / No
Internet : Yes/ No
Nsr



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Chairman, Range Promotion Board,
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S.SRIMATHY, J.

Nsr

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