

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 01.04.2019

CORAM

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN****W.P(MD)No.7685 of 2019**

C.Ganesh Manikandan

... Petitioner

Vs.

- 1.The State of Tamil Nadu,  
Rep. by its Secretary to Government,  
Home Department, Madras - 9.
- 2.The Director General of Police,  
Chennai - 4.
- 3.The Deputy Inspector General of Police,  
Tirunelveli Branch,  
Tirunelveli District.
- 4.The Superintendent of Police,  
Tuticorin District,  
Tuticorin.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents herein to regularize the petitioner's service of Sub-Inspector of Police (AR) from 08.12.2008 and consequently, direct the respondents to pay all consequential service and monetary benefits.

For Petitioner : Mr.P.Subbaraj

For Respondents : Mrs.J.Padmavathy Devi,  
Special Government Pleader.**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to regularize the petitioner's service of Sub-Inspector of Police (AR) from 08.12.2008 and consequently, direct the respondents to pay all consequential service and monetary benefits.

2.Heard the learned counsel appearing for the petitioner and Mrs.J.Padmavathy Devi, learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for disposal at the admission stage itself.



3.The case of the petitioner is that he was appointed as a Constable and thereafter, he was promoted as Sub-Inspector of Police(AR). Though the petitioner has put in more than 12 years of service as Sub-Inspector of Police(AR), he is yet to be promoted to the next higher post and he is working as Sub-Inspector of Police (AR), till date.

4.The grievance of the petitioner is that similarly placed person like that of the petitioner was promoted, but till date he was not considered and regularized. In this regard, he has sent a representation to the respondents on 22.07.2017. Since no response is forthcoming, the petitioner sent a petition, dated 22.08.2018 under the RTI Act. In response to the same, the second respondent vide communication, dated 07.12.2018, stated that his request is pending for consideration. Till date, the petitioner's representation has not been considered by the respondents. Hence, he has filed the present Writ Petition.

5.The learned counsel for the petitioner submitted that the petitioner would be satisfied, if his representation is directed to be considered by the respondents, for which, the learned Special Government Pleader appearing for the respondents has no serious objection.

6.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 22.07.2017 seeking to regularize the petitioner's service from 08.12.2008 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS)

Ps

To

1.The Secretary to Government,  
Rep. by the State of Tamil Nadu,  
Home Department, Madras - 9.



2.The Director General of Police,  
Chennai - 4.

3.The Deputy Inspector General of Police,  
Tirunelveli Branch,  
Tirunelveli District.

4.The Superintendent of Police,  
Tuticorin District,  
Tuticorin.

+1CC TO MR.P.SUBBARAJ, Advocate Sr. No. 58290

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 58603

**W.P(MD)No.7685 of 2019**  
**01.04.2019**

TR (25.04.2019) 3P 7C