



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD)No.23056 of 2017

G.Ravichandran

... Petitioner

Vs.

1.The Director General of Police,
Director General of Police Office,
Chennai -4.

2.The District Superintendent,
The District Superintendent of Police Office,
Pudukottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to consider and pass order on the representation, dated 04.09.2017 of the petitioner herein within a time frame as may be fixed by this Court.

For Petitioner : Mr.KR.Sankaravadivel

For R1 and R2 : Mr.C.M.Malichellaiah Prabhu
Additional Government Pleader

ORDER

Seeking for a direction to the respondents to consider and pass order on the petitioner's representation, dated 04.09.2017, the present writ petition has been filed.

2.Heard the learned Counsel appearing on both sides and perused the materials available on record.

3.The case of the petitioner is that he is working as a Sub-Inspector of Police. Pointing out that his junior was given promotion as Inspector of Police, he approached the respondents by way of representation seeking promotion on par with his juniors. Since the respondents have not considered the representation of the petitioner, he approached this Court.

4.Upon instructions, the second respondent has filed a counter affidavit, the relevant portion of which, reads as follows:



"5)With regard to the averments made in para-7 of the affidavit, it is submitted that the petitioner's representation, dated 04.09.2017 has not been received. The petitioner's representation, dated 28.08.2017 for seeking promotion was duly considered by this office as per law, procedural guidelines with relevant Government Orders and disposed of with an endorsement on 27.11.2017 by the 2nd the G.O.Ms.No.1396, dated 03.10.2007, that " the seniority between the accelerated promotes and the general promotees in the promoted category shall continue to be governed by their panel position (ie.,) with reference to their inter-se-seniority in the lower grade at any stage the accelerated promotion will not give the individual accelerated consequential seniority, since the accelerated promotion is only for one stage".

5.The stand taken by the second respondent is stoutly refuted by the learned Counsel for the petitioner.

6.Under such facts and circumstances of the case, appropriate communication in respect of the stand taken by the respondents shall be sent to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

7.Accordingly, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The Director General of Police,
Director General of Police Office,
Chennai -4.

2.The District Superintendent,
The District Superintendent of Police Office,
Pudukottai.

+1CC TO Mr.KR.Sankaravadivel, Advocate, Sr No.54445
+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.54760

ORDER MADE IN
W.P. (MD) No.23056 of 2017
14.03.2019