



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.17621 of 2019

A.Ashok Kumar

... Petitioner

Vs.

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

2.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.

3.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

... Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the third respondent to promote the petitioner as Head Constable by implementing the orders passed by him in Na.Ka.No.A2/20058/303/2019 dated 22.04.2019 and by following G.O.Ms.No.15 Home (Police V) Department dated 07.01.2010.

For Petitioner : Mr.T.S.Mohammed Mohideen

For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the third respondent to promote the petitioner as Head Constable by implementing the orders

passed by him in Na.Ka.No.A2/20058/303/2019 and by following G.O.Ms.No.15 Home (Police V) Department, dated 07.01.2010.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents. By consent, this Writ Petition is

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taken up for final disposal at the admission stage itself.

3.The learned counsel for the petitioner would submit that when the petitioner was working as Grade I Police Constable, he was charged under Rule 3(b) of the Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules, by the third respondent. Based on the official witnesses, the petitioner was awarded with the punishment of "postponement of increment for two years". Now, the aforesaid punishment period is over and as on date, no currency of punishment is pending against the petitioner. However, the petitioner's name has not been considered for promotion to the post of Head Constable. With regard to the same, the petitioner sent a representation on 25.07.2019 to the respondents. So far, no action has been taken. Hence, the petitioner is before this Court for the relief stated supra.

4.In support of his contention, the learned counsel for the petitioner relied upon the proceedings in Na.Ka.No.m2/20058/303/2019 dated 22.04.2019 and further, he would submit that it is suffice, if a direction is issued to the third respondent to consider the petitioner's representation dated 25.07.2019.

5.In reply, the learned Additional Government Pleader appearing for the respondents would submit that the petitioner's representation dated 25.07.2019 would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6.By accepting the submission made by the learned Additional Government Pleader, without expressing any opinion on the merits of the case, this Court directs the third respondent to consider the petitioner's representation dated 25.07.2019, on merits and in accordance with law, as expeditiously as possible.

7.This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

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



2.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.

3.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

+1 CC to M/s.T.S.MOHAMED MOHIDHEEN, Advocate (SR-80829[F] dated
09/08/2019)

+1 CC to M/s.SPL GP (SR-81521[F] dated 13/08/2019)

W.P. (MD) No.17621 of 2019
09.08.2019

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