



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.22896 of 2019

and

W.M.P(MD)No.19647 of 2019

WEB COPY

- 1.T.Bala Selvan
- 2.S.Sam Sundar Singh
- 3.S.Justin Paul
- 4.J.John Wisely
- 5.J.Deva Shayam
- 6.M.Mahendran
- 7.V.Madhu Soodhanan
- 8.S.Kavi
- 9.M.Parthiban
- 10.S.Suresh
- 11.S.Anandha Raj
- 12.S.Gobi
- 13.P.Abraham Rao
- 14.S.Suresh Kumar
- 15.T.Justin
- 16.T.Renganathan
- 17.J.Alexander
- 18.G.Amathu Arasu
- 19.C.Mohan Raj
- 20.R.Nalina Kumari
- 21.R.Murugaboopathi
- 22.V.Murugesan
- 23.C.Sudha Rani
- 24.D.Jameela Anna Selvi
- 25.M.Mahalingam

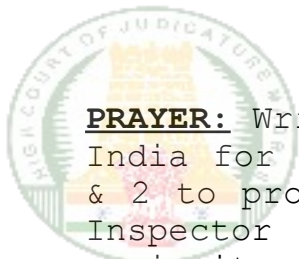
... Petitioners

vs.

- 1.The Government of Tamil Nadu,
Through its Secretary,
Home Department,
Secretariat,
Fort St. George,
Chennai-9.

- 2.The Director General of Police,
O/o.The Director General of Police,
Post Box No.601,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai-600 004.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 & 2 to provide the promotion to the petitioners to the post of Sub Inspector of Police (Armed Reserve) based on the State-wide seniority and confer the seniority and other benefits on par with the persons who have been promoted as sub inspector with same date of their enlistment into the Department in light of G.O.Ms.No.1055, Home (Police III) Department dated 01.11.2006.

For Petitioners : Mr.T.Lajapathi Roy

For Respondents : Mr.V.Anand,

Government Advocate

ORDER

This writ petition is filed for a direction to the respondents 1 & 2 to provide promotion to the petitioners to the post of Sub Inspector of Police (Armed Reserve) based on the State-wide seniority and confer the seniority and other benefits on par with the persons, who have been promoted as Sub Inspector with same date of their enlistment into the Department in the light of G.O.Ms.No.1055, Home (Police III) Department dated 01.11.2006.

2.Heard Mr.T.Lajapathi Roy, learned counsel appearing on behalf of the petitioners and Mr.V.Anand, learned Government Advocate, who accepts notice on behalf of the respondents.

3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel appearing for the petitioners contended that originally, promotions were made considering Range wise seniority. Subsequently, the Government by G.O.Ms.No.1055, Home (Police III) Department, dated 01.11.2006, directed to follow the State wise seniority, for granting promotions. The respondents instead of following the State wise seniority, they are giving promotions based on the Range wise seniority. In view of the same, juniors to the petitioners were promoted. The petitioners gave representations to the second respondent on various dates i.e., on 14.05.2019, 15.05.2019, 16.05.2019, 17.05.2019 and 25.05.2019 respectively. The second respondent did not pass any orders on the representations and hence, they have come out with the present writ petition.

5. The learned counsel appearing for the petitioners relied on the order of this Court, dated 06.04.2018, made in W.P(MD) No.13550 of 2012 with regard to promotion given in the Fire Service Department. Wherein, this Court directed the respondents therein to follow the State wise seniority.

6. Mr.V.Anand, learned Government Advocate appearing for the respondents submitted that the order of this Court dated



06.04.2018, made in W.P(MD)No.13550 of 2012, relying on by the petitioners, is not applicable to the facts of the present case and prayed for dismissal of the writ petition.

7. Though a larger relief has been prayed in this writ petition, when the matter is taken up for hearing, the learned counsel for the petitioners submitted that if a direction is issued to the respondents to consider their representations, the petitioners would be satisfied.

8. Considering the submission of the learned counsel for the petitioners, this Court directs the respondents to consider the representations of the petitioners, dated 14.05.2019, 15.05.2019, 16.05.2019, 17.05.2019 and 25.05.2019 respectively 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.

9. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar(CS)

am

To

1.The Secretary,
Home Department,
Secretariat,
Fort St. George,
Chennai-9.

2.The Director General of Police,
Post Box No.601,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai-600 004.

+1 CC to M/s.SPL GP (SR-95155[F] dated 31/10/2019)

W.P (MD) No.22896 of 2019
30.10.2019

KK/SAR/26.11.2019/3P-4C/