

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.7460 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“.... to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus to call for the records relating to and connected to the orders D.O.No.2016/ 2017 Rc.No.09/ Major/ PR.2/ Cyb/ 1013-17, dated 21.10.2017 issued by the 3rd respondent and order vide Rc.No.04/ T1/ 2018 dated 3.5.2018 issued by the 2nd respondent and set aside the same by holding the same as illegal, arbitrary, unreasonable and violation of principles of natural and unconstitutional and it amounts to violation of Articles 14, 16 and 21 of the Constitution of India and contrary to the Service Rules and direct the respondents to promote the petitioner as Asst. Sub Inspector of Police (Civil) on par with his juniors with all consequential benefits such as seniority, promotion etc”.

Heard Mr.P.Lakshmana Rao, learned counsel for petitioner and the learned Government Pleader for Home.

It has been contended by the petitioner that he is working as Head Constable and he is fully eligible and qualified to be promoted to the post of Assistant Sub-Inspector of Police.

The grievance of the petitioner is that when he became eligible for promotion to the post of Assistant Sub-Inspector of Police, the disciplinary authority has initiated disciplinary action against him. After conducting detailed enquiry, the 3rd respondent has imposed punishment of postponement of increment for a period of two years with cumulative effect on his future increments

and pension vide order dated 21.10.2017. Aggrieved thereby, the petitioner has preferred appeal before the appellate authority and the appellate authority had rejected the appeal vide proceedings dated 03.05.2018. Further aggrieved thereby, the petitioner has preferred a revision before the 1st respondent on 08.08.2018 and the same is pending.

Learned counsel for the petitioner has contended that appropriate orders be passed in the writ petition directing the 1st respondent to consider and dispose of the revision filed by the petitioner.

Learned Government Pleader appearing for respondents has contended that the 1st respondent will consider and dispose of the revision filed by the petitioner in accordance with law.

This Court, having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the 1st respondent to consider and dispose of the revision filed by the petitioner on 08.08.2018 in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 09-04-2019
Prv

