

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.16296 of 2019

ORDER:

This writ petition is filed seeking the following relief :-

“....to issue a Writ more in the nature of Writ of Mandamus or any other writ, order or direction to direct the Respondents to consider the case of the petitioner for promotion as Head Constable in view of dropping the charges against the petitioner vide No.A1/ 16/ Major-PR/ JGD/ 2018/ D. O.No.220/ 2019 dated 01.06.2019 in terms of the orders of the Government in G.O.Ms.No.424 General Administration (Ser-C) Dept dated 25.05.1976 from the date of his immediate junior promotion as Head Constable and promote him as such with all consequential benefits by declaring the action of the Respondents in not doing the same as illegal, arbitrary, unconstitutional and void being violative of Arts. 14 and 16 of the Constitution of India”

Heard Mr.R.Rajasekhara Rao, the learned counsel for petitioner and the learned Government Pleader for Home.

It has been contended by the petitioner that he was appointed as a Police Constable on 11.08.1990 and he has been discharging his duties to the best satisfaction of his superiors and everyone concerned. While so, the disciplinary authority had initiated disciplinary proceedings against the petitioner and after conducting regular enquiry, the disciplinary authority was pleased to drop the charges levelled against the petitioner vide proceedings dated 01.06.2019.

The grievance of the petitioner is that though the charges levelled against him were dropped, the respondents are not considering his case for promotion to the post of Head Constable on par with his immediate juniors in terms of G.O.Ms.No.424, dated 25.05.1976. To that effect, the petitioner has submitted a

representation to the respondents on 11.06.2019 to consider his case for promotion to the post of Head Constable on par with his immediate juniors, but, so far, the respondents have not passed any orders on the said representation nor considered the case of the petitioner for promotion to the post of Head Constable on par with his immediate juniors.

Learned counsel appearing for the petitioner submits that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 11.06.2019 and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents contends that the case of the petitioner will be considered and appropriate orders would be passed on the representation submitted by the petitioner on 11.06.2019 in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 11.06.2019 and pass appropriate orders 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: 01-08-2019
Prv

