

IN THE HIGH COURT OF JUDICATURE AT MADRAS

D A T E D : 14.12.2020

C O R A M

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

WRIT PETITION NO.10989 OF 2011

V.Kuppuswamy

...Petitioner

Vs

The Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore, Chennai-4.

...Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the Respondent to pass orders on the representation made by the Petitioner dated 19.03.2011 for promotion as Sub Inspector of Police (Railways) from the year 1994 and also the consequential relief within a reasonable time.

For Petitioner : Mr.Alagu Gowtham
for Mr.M.Muthappan

For Respondent : Mr.G.K.Muthukumar,
Spl. G.P.

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O R D E R

This writ petition is filed for a writ of mandamus to consider and dispose of the representation dated 19.03.2011 of the Petitioner for promotion as Sub Inspector of Police(Railways) with effect from the year 1994.

2. I heard the learned counsel for the Petitioner and the learned Special Government Pleader for the Respondent.

3. The learned counsel for the Petitioner submits that police constables who entered service in the year 1984 were upgraded as Special Sub Inspectors of Police upon completion of 25 years of service. In view of the fact that the Petitioner attained the age of superannuation and retired from service on 30.06.2010, he could not be promoted as an Inspector of Police although he became Special Sub Inspector of Police in the year 2002 and was promoted as a regular Sub Inspector of Police in the year 2007. In effect, the contention is that if the upgradation had been done immediately upon completion of five years of service by the Petitioner as a Head Constable, he would have been promoted as: Special Sub Inspector of Police in the year 1994; as Sub Inspector of Police in due course; and he would have retired from service as an Inspector of Police on the basis of his total length of service.

4. The learned Special Government Pleader submits that the representation of the Petitioner would be considered and disposed of on merits and in accordance with the applicable rules and Government orders.

5. In light of the aforesaid submissions, without expressing an opinion on the merits of the case, I am inclined to dispose of this writ petition by directing the Respondent to consider the representation dated 19.03.2011 of the Petitioner and dispose of the same on merits by a reasoned order within a period of three months from the date of receipt of a copy of this order. The writ petition stands disposed of on the above terms. No costs.

-s/d-

Assistant Registrar(Cj conf)

True Copy

Sub-Assistant Registrar

rrg

To

The Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore, Chennai -4.

+1cc to Mr.M.Muthappan, Advocate, SR.No.40968
+1cc to Government Pleader, SR.No.41090

W.P.No.10989 of 2011

MG (CO)
KKV/28/12/2020



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