

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2020

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.27107 of 2005

Shanmugam

...Petitioner

Vs

1.The Director General of Police,
Chennai - 4.

2.The Secretary to Government,
Home (Police IV) Department,
Fort St.George, Chennai - 9.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, directing the respondents to consider the claim of the petitioner for inclusion of his name in C list of Sub Inspector of Police fit for promotion as Inspector of Police for the year 2003-04 and promote him as Inspector of Police and grant him all consequential service and monetary benefits.

For Petitioner : No representation
For Respondents : Mr.K.Magesh
Special Government Pleader

O R D E R

The relief sought for in this writ petition is to issue a writ of mandamus to direct the respondents to consider the claim of the petitioner for inclusion of his name in 'C' list of Sub Inspector of Police and promote him as Inspector of Police and grant him all consequential service and monetary benefits.

2. There is no representation for the petitioner. Heard the learned Special Government Pleader for the respondents and perused the materials available on record.

3. The learned Special Government Pleader for the respondents submitted that during the pendency of the disciplinary proceedings, if the panel is prepared, the delinquent officer is not entitled to claim any promotion, till

the punishment period is over. In such a way, the name of the petitioner was not considered for promotion. After completion of the disciplinary proceedings, the petitioner's name was included in the panel and also got promotion. He further submitted that the very same petitioner challenged the order of punishment in W.P.No.31956 of 2004 and by order dated 15.12.2020 this Court dismissed the above writ petition.

4. In the light of the above facts and circumstances and the submissions made by the learned Special Government Pleader that after completion of the disciplinary proceedings, the petitioner's name was considered for promotion and subsequently, he was promoted and also retired from service. Hence, this Court does not find any merits in this writ petition. Accordingly, this writ petition fails and the same is dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Director General of Police,
Chennai - 4.

2.The Secretary to Government,
Home (Police IV) Department,
Fort St.George,
Chennai - 9.

+1 cc to The Government Pleader, Sr.No. 41323

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SR II (CO)
RMP (20/01/2021)

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