



WEB COPY

W.P(MD) No.1254 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD) No.1254 of 2020

and

W.M.P. (MD) No.1012 of 2020

S.Sundaresan

... Petitioner

/vs./

1.The State of Tamilnadu,
represented by its Secretary to Government,
Home Department,
Secretariat,
Chennai.

2.The Chairman,
Tamilnadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore,
Chennai - 8.

3.The Director General of Police,
Mylapore,
Chennai 600 009.

4.The Additional Director General of Police,
(Armed Police) Head Quarters,
Kilpauk,
Chennai 600 009.

5.The Inspector General of Police,
Trichy Range,

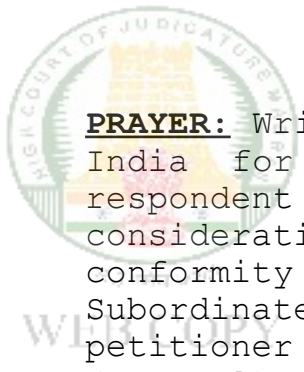
AP Head Quarters,
Kilpauk,
Chennai 600 010.

6.The Commandant,
TSP 6th Battalion,
Reserve Line,
Madurai 14.

7.Thevaraj

8.M.Chinnakannu

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to fix the seniority of the petitioner taking into consideration of the marks secured by him in the Recruit School in conformity with the Rule 24 of the Tamilnadu Special Police Subordinate Service Rules, 1978 and consequentially to consider the petitioner for promotion to the post of Inspector of Police (General) within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar for
M/S.Ajmal Associates

For R1 to R6 : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Though the petitioner has sought for issuance of Writ of Mandamus to the respondents to consider the petitioner for promotion to the post of Inspector of Police (General) and for fixing the seniority, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

3.The petitioner would submit that he has already made representation on 04.09.2018 in this regard, which is said to be pending. If the said representation is directed to be disposed of within stipulated time, the ends of justice could be secured.

4.Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

5.In view of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation, dated 04.09.2018, on its own merits and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representation and it is for the third respondent to consider it in accordance with law.



6. With the above direction, this Writ Petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

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// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1. The Secretary to Government,
Home Department,
Secretariat,
Chennai.

2. The Chairman,
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5. The Inspector General of Police,
Trichy Range,

AP Head Quarters,
Kilpauk,
Chennai 600 010.

6. The Correspondent,
TSP 6th Battalion,
Reserve Line,
Madurai 14.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-2680[F] dated
23/01/2020)

+1cc to SPL GP SR.No.3175

W.P. (MD) No.1254 of 2020
23.01.2020

VB(28.01.2020) 3P 9C

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