



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.1993 of 2020

M.Radha

... Petitioner

vs.

1.The Secretary to Government,
Home Department,
Government of Tamil Nadu,
Fort St.George,
Chennai-600 009.

2.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai-600 004.

3.The Superintendent of Police
Thanjavur District,
Thanjavur.

... Respondents

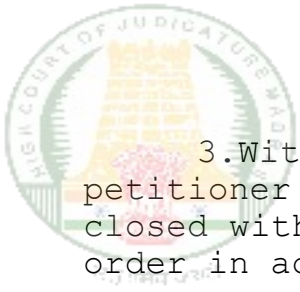
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondents to consider and pass orders on the basis of the petitioner's representation dated 02.12.2019 for notional promotion and retirement benefits.

For Petitioner	:	Mr.M.Karunanithi
For Respondents	:	Mr.C.M.Marichellaiah Prabhu Additional Government Pleader

O R D E R

The petitioner's request seeking for notional promotion was rejected by the second respondent herein through an order dated 20.12.2019. The learned counsel for the petitioner would submit that G.O.(Ms) No.937, Home (Police) Department, dated 21.07.1998 has not been considered, while the second respondent had rejected his request for notional promotion.

2.In my view, when the petitioner's request has already been rejected, this Court would not be justified to consider the petitioner's request, when the option available to the petitioner is to challenge the said order. The issue as to whether the second respondent is bound to consider the Government order referred to by the petitioner could also be raised as a ground while challenging the rejection order. In this background, if the petitioner granted liberty to challenge the rejection order dated 20.12.2019, the ends of justice could be secured.



3. Without going into merits of the grounds raised by the petitioner in the present writ petition, this Writ Petition is closed with the liberty to the petitioner to challenge the rejection order in accordance with law.

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Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

To:-

1. The Secretary to Government,
Home Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
2. The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai-600 004.
3. The Superintendent of Police
Thanjavur District,
Thanjavur.

+1 CC to SPL.GP (SR-4400[F] dated 03/02/2020)

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VB(13.02.2020) 2P 5C