



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P. (MD)No.12887 of 2020
(Through Video Conferencing)

R.Venkatesan

... Petitioner

Vs.

1.The Director General of Police,
Government of Tamil Nadu,
Radhakrishnan Salai,
Mylapore, Chennai - 600 004.

2.The Director General of Police,
Member Secretary,
Tamilnadu Uniformed Selection Committee,
Old Commissioner of Police Campus,
Chennai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to include the petitioner name in the promotion panel for the post of Inspector of Police under the Sports Quota earmarked for Most Backward Class candidates by considering the petitioner's representation dated 14.08.2020 within the time stipulated by this Court.

For Petitioner :Mr.B.Jameel Arasu
For Respondents :K.Mu.Muthu
Additional Government Pleader

ORDER

The prayer sought for in this writ petition is for a writ of mandamus, directing the respondents herein to include the petitioner name in the promotion panel for the post of Inspector of Police under the Sports Quota earmarked for Most Backward Class candidates by considering the petitioner's representation dated 14.08.2020 within the time stipulated by this Court.

2.The petitioner was selected as Sub Inspector of Police under sports quota in the year 2008 and having completed the training, he was initially posted in Taluk Police and thereafter, Armed Reserve and again back to Taluk Police and now presently, he is working at Tirumangalam Town Police Station.



3.The grievance of the petitioner is that, when the petitioner was selected under sports quota as per the communal rotation under MBC category, one Manickavasagam was in third place. However, he did not join. Therefore, the said third place has been continuously kept vacant according to the petitioner, without moving the candidates, who are next to Manickavasagam, i.e one S.Aranganathan and the petitioner and if such upward moving is taken place, in view of the said Manickavasagam not joined, certainly, the petitioner's position would have been different one, based on which, he claimed that, he may also be entitled to be included in the list of Sub Inspectors of Police fit for promotion for the next higher category.

4.In this regard, on 14.08.2020, the petitioner has given representation to the respondents and the learned counsel appearing for the petitioner would submit that, if the said representation is directed to be considered by the respondents, especially by the 1st respondent and an order to that effect is passed within a time frame that may be stipulated by this Court, the petitioner would be satisfied.

5.Heard the learned Additional Government Pleader appearing for the respondents, who would submit that, the 1st respondent is the competent authority to consider and pass orders on the representation of the petitioner. Therefore, the petitioner's representation dated 14.08.2020 would be considered by the 1st respondent on merits and in accordance with law, within a time frame.

6.Having regard to the said submissions made by both sides and having taken note of the factual matrix of this case, this Court is inclined to pass the following order:

"The 1st respondent is hereby directed to consider the representation of the petitioner dated 14.08.2020 on merits and in accordance with law and decide the claim made by the petitioner and accordingly, pass necessary orders disposing the said representation within a period of eight weeks from the date of receipt of a copy of this order".

7. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Director General of Police,
Government of Tamil Nadu,
Radhakrishnan Salai,
Mylapore, Chennai - 600 004.
- 2.The Director General of Police,
Member Secretary,
Tamilnadu Uniformed Selection Committee,
Old Commissioner of Police Campus,
Chennai.

W.P. (MD) No.12887 of 2020
29.09.2020

—
srk(CO)

KK(07.01.2021) 3P 3C