

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.1451 of 2021

K.Samidurai

... Petitioner

Vs

1. The Commissioner of Police,
Commissioner Office Building,
No.132, EVK Sampath Road,
Vepery, Chennai - 600 007.

2. The Deputy Commissioner of Police,
St.Thomas Mount,
Chennai - 600 016.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to fix the scale of pay of the petitioner as Sub Inspector of Police in Tamil Nadu Police Service with effect from 01.01.2013 when he was promoted as Sub Inspector of Police and grant service benefits including retiral service benefits applicable to the said post.

For Petitioner : Mr.M.V.Venkateshan

For Respondents : Mr.P.V.Selvakumar,
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal during the time of admission. Mr.P.V.Selvakumar, learned Additional Government Pleader takes notice for respondents.

2.This writ petition has been filed, seeking a direction to the respondents to fix the scale of pay of the petitioner as Sub Inspector of Police in Tamil Nadu Police Service with effect from 01.01.2013.

3. According to the learned counsel for the petitioner, the petitioner was not granted the scale of pay applicable to the Sub Inspector of Police and that he retired from service on 30.04.2016. Though the petitioner has been repeatedly sending representations even prior to his retirement on several

occasions, namely, 27.09.2013, 13.06.2014, 27.03.2015 and on 16.06.2020 (which is after retirement), he is not in a position to adduce proof regarding despatch of his earlier representations, except the one dated 16.06.2020 and there is also no whisper about his previous representations in the representation dated 16.06.2020.

4. Considering the facts and circumstances of this case and if the Petitioner's representation is pending with the authorities concerned and, not disposed of earlier, this Court directs the respondents to consider the representation of the petitioner dated 16.06.2020, if there are no legal impediments and the Commissioner of Police is expected to decide the issue and pass appropriate orders, in accordance with law, after affording an opportunity of hearing to all the parties concerned, as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vum
To:

1. The Commissioner of Police,
Commissioner Office Building,
No.132, EVK Sampath Road,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
St.Thomas Mount,
Chennai - 600 016.

+1 cc to M/s.M.V.Venkadaseshan, Advocate Sr.No. 4470
+1 cc to M/s.V.V.Sathya, Advocate Sr.No. 4303
+1 cc to The Government Pleader, Sr.No.4219

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RGN(CO)
RMP(22/02/2021)