

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2021

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

Writ Petition No.18409 of 2011

- 1.N.Ramaiyan
- 2.M.S.Raja Palanikumar
- 3.V.Jayapal
- 4.K.C.James
- 5.P.Jayakumar

All are working as Sub Inspector of Police
Tamil Nadu Commando Squad, 5th Battalion
Chennai.

... Petitioners

-Vs-

- 1.The Director General of Police
Mylapore, Chennai 600 004.
- 2.The Additional Director General of Police
Boat Club Road, Chennai-28.
- 3.The Inspector General of Police (Operations)
Boat Club Road, Chennai 600 028.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the respondents to promote the petitioners as Head Constables from 1997 and place the petitioners' name in the list of 1997 batch of Head Constables of Tamilnadu Police and consequently to promote the petitioners as Sub Inspector of Police according to the petitioners seniority.

For Petitioner : Mr.A.S.Mujibur Rahman

For Respondents: Mr.K.Magesh
Special Government Pleader

O R D E R

The prayer sought for herein is for a Writ of Mandamus to direct the respondents to promote the petitioners as Head Constables from 1997 and place the petitioners' name in the list of 1997 batch of Head Constables of Tamilnadu Police and consequently to promote the petitioners as Sub Inspector of Police according to the petitioners seniority.

2. These petitioners were initially appointed in the year 1981 in Border Security Force and thereafter they have been

serving in various forces like National Security Guard etc., and in the year 1996, the Tamil Nadu Police formed a Commando Force, where these petitioners were also included and subsequently in the year 1997 the petitioners were promoted as Head Constables and thereafter no further promotion has been given. In this context, the petitioners jointly gave a detailed representation on 02.05.2011 to the first respondent with regard to their promotional avenues. However, since the said representations were not considered, they approached this Court by filing the present writ petition with the aforesaid prayer.

3. Heard the learned counsel for the petitioner, who after having stated the aforesaid facts, seeks the indulgence of this Court to issue Mandamus as prayed for.

4. Mr.Magesh, learned Special Government Pleader appearing for the respondents, however, would submit that, as per the relevant Government Orders, which are in vogue, these petitioners are not entitled to be promoted, as has been sought for by them. However, since the representation dated 02.05.2011, if at all not considered as claimed by the petitioners, certainly that would be considered and an order to that effect would be passed within the time frame stipulated by this Court.

5. Considering the limited scope of the prayer in this writ petition, and after having considered the said submissions of the learned counsel for the parties, this writ petition is disposed of with the following orders.

6. That the respondents especially the first respondent is directed to consider the representation of the petitioners dated 02.05.2011 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The petitioners are directed to forward a copy of the representation along with a copy of this order and immediately on receipt of the same, needful as indicated above shall be undertaken by the first respondent.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

KST

To

1.The Director General of Police
Mylapore, Chennai 600 004.

2.The Additional Director General of Police
Boat Club Road, Chennai-28.

3.The Inspector General of Police (Operations)
Boat Club Road, Chennai 600 028.

+1cc to Mr.Mujibur Rahman, Advocate SR.11732

W.P.No.18409 of 2011

KK(CO)
CB(17/03/2021)



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