

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2021

CORAM:

THE HON'BLE Dr. JUSTICE ANITA SUMANTH

WP.No.17676 of 2010

B.Venkatesan

...Petitioner

vs.

1.The Principal Secretary to Government,
Home (Police-2) Department,
Secretariat, Chennai-9.

2.The Director General of Police,
Mylapore, Chennai-4.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Declaration, declaring Section 22 of Tamil Nadu Police Service Rule 4 (D) (ii) insofar as educational qualification is concerned as null and void and consequently direct the respondents to promote the petitioner as Deputy Superintendent of Police (Cat-2) by recruitment by transfer with effect from 19.06.2010 the date of promotion of immediate juniors by including the petitioner's name in Police Note No.13, Home (Pol.2) Department, dated 19.06.2010 in the appropriate place with due seniority and all other service and monetary benefits.

For Petitioner : Mr.Ravi Shanmugam

For Respondents : Mr.S.John J.Raja Singh
Government Advocate

O R D E R

Heard Mr.Ravi Shanmugam, learned counsel for the petitioner and Mr.S.John J.Raja Singh, learned Government Advocate for the respondents.

2. Though the petitioner has sought the relief of a writ of declaration declaring Rule 4(B)(ii) of Section 22 of the Tamil Nadu Police Service Rules insofar as educational qualification is concerned as invalid, he would restrict his prayer to the disposal of the representation filed by him, seeking promotion.

3. Learned counsel for the petitioner points out that the representation dated 25.03.2010 has been forwarded by the Commissioner of Police to the Director General of Police with his recommendation for consideration and appropriate orders. Thereafter, there appears to have been no action in this regard and hence this writ petition.

4. In light of the fact that the pendency of the aforesaid representation before the Director General of Police/R2 is admitted by the learned Government Advocate, it would suffice that a direction be issued to R2 to consider representation dated 25.03.2010, in light of the recommendation by the Commissioner, and pass suitable orders within a period of four (4) weeks from today. Learned counsel for the petitioner waives personal hearing of the petitioner before R2.

5. This writ petition is disposed as above. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vs/kbs

To

1.The Principal Secretary to Government,
Home (Police-2) Department,
Secretariat, Chennai-9.

2.The Director General of Police,
Mylapore, Chennai-4.

+1cc to the Government Pleader Sr No.57711

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SSV (CO)
PR (23/11/2021)