



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM:

THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P.NO.23210 OF 2010

K.Sivan

... Petitioner

.Vs.

The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore - 18.

... Respondent

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the respondent herein to promote the petitioner as Sub-Inspector of Police for the year 2005 with effect from the date of promotion of his immediate junior with all consequential service and monetary benefits.

For Petitioner : Mr.Ravi Shanmugam

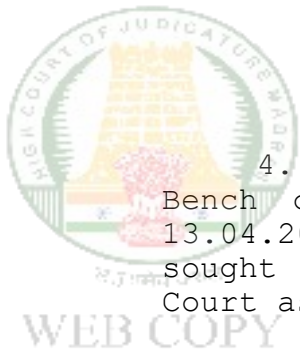
For Respondent : Mr.S.John J.Raja Singh
Government Advocate

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 sole respondent/Deputy Inspector General of Police, Coimbatore Range, Coimbatore.

2. The short prayer of the petitioner is for a mandamus directing the respondent to promote the petitioner as Sub-Inspector of Police for the year 2005 with effect from the date of promotion of his immediate junior with all consequential service and monetary benefits.

3. At the time of hearing, learned counsel for the petitioner would submit that it would suffice that the representations dated 23.11.2009 and 05.04.2010 of the petitioner to the same effect as the prayer raised in this writ petition be considered by the respondent and orders passed in a time bound manner.



4. In this connection, he relies on an order of the Madurai Bench of this Court in WP.Nos.344 of 2006 and batch dated 13.04.2006. The petitioners in those writ petitions had also sought similar relief, which had come to be granted by this Court as per paragraph-17 of the decision as follows:-

'17.This is my considered view, is certainly a discrimination and is not merely an anomalous situation. Of course, the Government is entitled to treat this as an anomalous situation and grant benefit to all the 250 personnel who are stated to be appointed from the year 1984 batch of Grade II Police Constable but sent for training on 25.10.1984. But as far as the petitioners are concerned who have approached this Court and as per the direction of this Court they were also permitted to write examination and subsequently declared to have passed in the written test there is absolutely no reason to deny the benefits which have been conferred to the other 940 personnel as stated above.'

5. At paragraph-18, they state that while the petitioners in that writ petitions were entitled to be promoted to the post of Sub-Inspector of Police for the year 2005 and while such a positive direction could not be given in the case of all other identically placed Police Officers, such officers, who were not covered by the ambit of that writ petition could well approach the respondent by way of a representation and seek appropriate orders of promotion. It is hence that the petitioner in this writ petition has sought the same relief by his representations cited aforesaid.

6. Mr.Singh would submit that the petitioner in question does not satisfy other eligibility criteria. Let this be taken into consideration as well in disposing the representations of the petitioner by way of a speaking order, also taking note of the decision of the Madurai Bench of this Court, within a period of six (6) weeks from today.

7. This writ petition is disposed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vs/kbs



To

The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore - 18.

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+1cc to the Government Pleader, S.R.No.56688

W.P.NO.23210 OF 2010

GJ (CO)
PBS/26/11/2021