

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.1433 of 2014

A.Soundararajan

... Petitioner

Vs.

1. The Principal Secretary to Government,
Home (Police-2) Department,
Secretariat, Chennai - 600 009.

2. The Director General of Police,
Tamilnadu, Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to promote the petitioner as Inspector of Police with effect from 01.10.2000 notionally in view of the petitioner's name being included in the 'C' list of Sub Inspectors of Police fit for promotion as Inspectors of Police for the year 1999-2000 at Sl.No.149 and consequently direct the first respondent herein to include the petitioner in the panel of Inspectors of Police fit for appointment by recruitment by transfer as Deputy Superintendents of Police (Cat-1) for the year 2012-2013 approved in G.O.Ms.No.954, Home (Police-2) Department dated 06.11.2013 in the appropriate place and promote the petitioner as Deputy Superintendent of Police (Cat-1) with effect from 18.11.2013, the date of promotion of immediate junior with all consequential service and monetary benefits.

For Petitioners: Mr.Ravi Shanmugam

For Respondents: Mr.A.N.Thambidurai

Special Government Pleader

ORDER

This writ petition has been filed to direct the second respondent to promote the petitioner as Inspector of Police with effect from 01.10.2000 notionally and consequently direct the first respondent to include the petitioner's name in the panel for promotion to the post of Deputy Superintendents of Police (Cat-1) for the year 2012-2013 in the appropriate place, and accordingly promote him as such, with effect from 18.11.2013,

with all consequential service and monetary benefits.

2. According to the petitioner, he was directly recruited as Reserve Sub Inspector of Police on 28.09.1987 and his seniority was placed at Sl.No.131. Though his name was included in the panel for promotion to the post of Inspectors of Police for the year 1999-2000 and no charge was pending against him, he was denied promotion, but his immediate junior was promoted on 14.05.2001. Hence, the petitioner made a representation to the first respondent on 08.10.2013, however the same was not considered till date, which compelled him to file this writ petition.

3. The learned counsel for the petitioner submitted that the petitioner would be satisfied, if his representation dated 08.10.2013 claiming the relief as sought in this writ petition, is directed to be considered by the respondents, within a time frame to be stipulated by this Court.

4. On the other hand, the learned Special Government Pleader appearing for the respondents has no serious objection for granting such relief to the petitioner.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to consider the representation dated 08.10.2013 submitted by the petitioner, if not already considered, and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Principal Secretary to Government,
Home (Police-2) Department,
Secretariat, Chennai - 600 009.

2. The Director General of Police,
Tamilnadu, Chennai.

+1cc to the Government Pleader SR.523

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