



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2021

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P.(MD)No.10675 of 2012

WEB COPY

S.John Bosco

... Petitioner

vs.

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

2.The Deputy Inspector of Police,
Tirunelveli Range, Tirunelveli.

3.The Superintendent of Police,
Kanyakumari District at
Nagercoil.

4.The Commissioner of Police,
Madurai City.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to promote the petitioner as Head Constable with effect from 31.03.1998 will all consequential monetary and service benefits and subsequently promote the petitioner as Sub Inspector, and other promotions as per the Service Rules.

For Petitioner : Mr.Karthik

for M/s.T.Lajapathi Roy

For Respondents : M/s.D.Farjana Ghoushia

Special Government Pleader

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus, to direct the respondents to promote the petitioner as Head Constable with effect from 31.03.1998 will all consequential monetary and service benefits and subsequently promote the petitioner as Sub Inspector, and other promotions as per the Service Rules.

2.The petitioner was appointed in the Police service as Grade II Police Constable on 12.09.1986 in Armed Reserve. Thereafter, he was promoted on 10.05.1991 and then on 25.05.1993. Then, based on the administrative changes, the petitioner's post was upgraded



as Grade II Armed Reserve Police.

3.The petitioner alleges that the petitioner was promoted as Head Constable and then for want of vacancy, the petitioner was reverted back to Grade I in the year 1998 without any proper reason. The respondents has also filed a counter affidavit.

4.Heard Mr.Karthik, learned Counsel appearing for the petitioner and M/s.D.Farjana Ghousia, learned Special Government Pleader appearing for the respondents.

5.Since it is a simple Mandamus to direct the respondents to promote the petitioner as Head Constable with effect from 31.03.1998 with consequential benefits, this Court without going into the merits of the issue, directs the respondents to consider the petitioner's claim. The petitioner is directed to submit a fresh representation to the respondents within two weeks from the date of receipt of a copy of this order. Thereafter, the respondents shall consider the representation within four weeks and pass an order giving reasons.

6.Accordingly, the Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tmg/jbr

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

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

2.The Deputy Inspector of Police,
Tirunelveli Range, Tirunelveli.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Superintendent of Police,
Kanyakumari District at
Nagercoil.

4.The Commissioner of Police,
Madurai City.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-35409[F] dated
22/11/2021)

+1 CC to M/s.SPL GP (SR-35172[F] dated 19/11/2021)

W.P. (MD)No.10675 of 2012
18.11.2021

SJ(CO)

SB(30.11.2021) 3P 7C