



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.19173 of 2012
and
M.P.Nos.1 & 2 of 2012

Mr.Ghanshyam Upadhyay

...Petitioner

-Vs-

1. Director General,
Central Reserve Police Force,
C.G.O. Complex, Lodhi Road,
New Delhi - 110 003.
2. Additional Director General (Medical),
Central Reserve Police Force,
C.G.O. Complex,
Lodhi Road,
New Delhi - 110 003.
3. Inspector General of Police (Training),
Central Reserve Police Force,
C.G.O. Complex,
Lodhi Road,
New Delhi - 110 003.
4. Prinipal/D.I.G.P.,
R.T.C. C.R.P.F.,
Avadi, Chennai - 600 065.
5. Union of India,
Rep. by its Secretary to Government,
Ministry of Home Affairs,
New Delhi.
6. The Deputy Inspector General of Police,
Central Reserve Police Force,
Group Centre, Avadi,
Chennai - 600 065.



7.The Inspector General of Police,
Southern Sector, CRPF,
10-C, Jubilee Hills, Gayathri Hills,
Hyderabad - 500 033.

...Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the Special Approved List - AA/GD(MALE)-06/2011 dated 30.05.2012 quash the same insofar as the paragraph 2 is concerned issued by the 4th respondent and to direct the respondents to promote the petitioner to the post of Sub Inspector with effect from 2011 and to pay all the monetary benefits.

For Petitioner : Mr.A.S.Mujibur Rahman

For Respondents : Mr.K.Gunasekar, SPCCG

ORDER

With the consent of both the parties, this writ petition is taken up for final disposal.

2. The grievance of the petitioner herein is that he had not been promoted to the post of Sub-Inspector of Police, in view of the claim of the respondents that he had the ailment of color blindness.

3. Mr.K.Gunasekar, learned Standing Counsel for the respondents had produced a copy of the promotion order No.VII-8/2013-ESTT-I-216 dated 09.07.2013, which evidences that the petitioner herein has been promoted to the rank of ASI/GD. As such, the grievance of the petitioner has been considerably met.

4. At this juncture, the learned counsel for the petitioner submitted that the petitioner would be entitled for promotion from the year 2010 onwards.

5. The claim made by the petitioner could give rise to a different cause of action and if at all the petitioner is of the view that he is entitled for such a retrospective promotion, liberty is hereby granted to him to make an appropriate representation before the concerned respondent to redress his grievance and on receipt of the same, the concerned respondent



shall consider it on its own merits and pass appropriate orders in accordance with law, with a period of three (3) months from the date of receipt of such representation.

6. With the above liberty, the Writ Petition stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

hvk

To

- 1.The Director General,
Central Reserve Police Force,
C.G.O. Complex, Lodhi Road,
New Delhi - 110 003.
- 2.Additional Director General (Medical),
Central Reserve Police Force,
C.G.O. Complex, Lodhi Road,
New Delhi - 110 003.
- 3.Inspector General of Police (Training),
Central Reserve Police Force,
C.G.O. Complex, Lodhi Road,
New Delhi - 110 003.
- 4.Prinipal/D.I.G.P.,
R.T.C. C.R.P.F.,
Avadi, Chennai - 600 065.
- 5.The Secretary to Government,
Union of India,
Ministry of Home Affairs,
New Delhi.
- 6.The Deputy Inspector General of Police,
Central Reserve Police Force,
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7.The Inspector General of Police,
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+1cc to Mr.A.S.Mujibur Rahman, Advocate SR.No.12179

W.P.No.19173 of 2012

SPD(CO)
GN(17/03/2022)