



WEB COPY



W.P.No.22324 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.22324 of 2012

1.C. Kalyana Sundaram

2.P. Velayudham

3.A. Gunasekar

4.B. Ganapathy

5.S. Babu Sahib

... Petitioners

Vs.

1.The Additional Director General of Police/
Inspector General of Prisons,
Gandhi Irwin Road,
Egmore, Chennai – 8.

2.The State rep. by the Secretary
to the Government,
Home Department,
Fort St. George, Chennai – 9.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to apply the guidelines of the order dated 05.05.2007 of the Additional Director of Prison in the case of Mrs. Mumthaj Begam and to grant promotion to the petitioners as Chief Head Warders considering their age, experience and seniority.



W.P.No.22324 of 2012

For Petitioners : M/s.K.Jenitha
For Respondents : M/s.P.Rajarajeswari,
Government Advocate

ORDER

On the ground that the petitioners herein had qualified in the old SSLC pattern, their claim for promotion to the post of Chief Head Warders, was denied.

2. The prayer in the present Writ Petition is for grant of promotion by considering the age, experience and seniority and in accordance with the guidelines issued by the Additional Director of Prison dated 05.05.2007.

3. It is now stated by the learned counsel for the petitioners that pending the Writ Petition, all the 5 petitioners had appeared for the new patterned SSLC Course and had also passed the same. In view of their present qualifications, they were also granted promotion to the post of Chief Head Warders in the year 2014 itself. The learned counsel would further submit that the petitioners herein would be notionally eligible for the next avenue of promotion which is not granted to them.

4. In view of the subsequent developments that the petitioners had



W.P.No.22324 of 2012

qualified SSLC in new pattern and have also been granted promotion to the post of Chief Head Warders, no effective orders can be passed in the prayer sought for in the present Writ Petition.

5. In case, the petitioners are of the view that they are eligible for notional promotion to the next higher post, liberty is hereby granted to the petitioner to give a fresh representation to the first respondent herein, ventilating their grievance. On receipt of the same, the first respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months from the date of receipt of the representation.

6. With the above liberty, this Writ Petition stands closed. No costs.

11.10.2022

Speaking order/Non-speaking order

Index: Yes/No

Internet: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Additional Director General of Police/
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W.P.No.22324 of 2012

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