



WEB COPY



Writ Petition No22594 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2022

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Writ Petition No22594 of 2018

and

W.M.P.No.8799 of 2019

P.Pownesan
S/o.K.Perumal

... Petitioner

Vs.

1.The Additional Director General of Police/
Inspector General of Prisons,
Egmore, Chennai - 600 008.

2.The Superintendent,
Central Prison,
Salem.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to include the name of the petitioner in the Approved list of Grade I Warders first for promotion to the post of Chief Head Warders for the year 2017-2018 issued by the first respondent herein in his proceedings No.10926/ES 3/2018-2 dated 02.05.2018 and promote the petitioner as Chief Head Warder, without reference to the punishment of postponement of increment for three months imposed by the second respondent herein in his proceedings No.CC1/16011/2014 dated 01.03.2015, within a time frame as deemed fit.



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For Petitioner : Mr.G.Bala
for M/s.G.Bala and Daisy
For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the respondents to include the name of the petitioner in the Approved list of Grade I Warders for promotion to the post of Chief Head Warders for the year 2017-2018 issued by the first respondent herein in his proceedings No.10926/ES 3/2018-2 dated 02.05.2018 and promote the petitioner as Chief Head Warder, without reference to the punishment of postponement of increment for three months imposed by the second respondent herein in his proceedings No.CC1/16011/2014 dated 01.03.2015 .

2. The petitioner is now working as Grade-I Warder in Government services. The next avenue for promotion is to the post of Chief Head Warder.

3. Learned counsel for the petitioner submits that the petitioner is fully eligible for promotion to the post of Chief Head Warder. The name of the petitioner was not considered for promotion in view of punishment imposed on him i.e., stoppage of increment for three months without cumulative effect. The



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currency of punishment has already been expired and there is no other impediment to consider the name of the writ petitioner for promotion.

4. If that is the case, the respondents are bound to consider the case of the petitioner whenever a panel for promotion is prepared in accordance with the rules in force.

With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

17.11.2022

Index : Yes
Speaking order
gm

To

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S.M.SUBRAMANIAM., J

gm

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