

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition No.5677 of 2014

V. Balasubramanian

...Petitioner

-Vs-

1. The Principal Secretary to Government,
Home (Police-1A) Department,
Fort St. George,
Chennai - 9.
2. The Director General of Police,
Dr.Radhakrishnan Salai,
Myalore ,
Chennai - 4.
3. The Secretary,
Tamil Nadu Public Service Commission,
Chennai -1.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in connection with the impugned order passed in GO (Ms) No. 1396 Home (Pol. 1A) Department dated 3.10.2007 and quash the same in so far as it substitutes Para 5(e) of GO (Ms.) No. 1252 Home (Pol.VIII) Dept. dated 29.10.2004 in so far as petitioner is concerned and further direct the respondents to fix the seniority of the petitioner by including his name in the appropriate place in the panel of the year 2004-05 in the cadre of Deputy Superintendent of Police based on his date of promotion and further notionally promote the petitioner as Additional Superintendent of Police and as Superintendent of Police and grant him all consequential service and monetary benefits.

For Petitioner : Mr.S.Venkataramani, Sr. Counsel
for Mr.M.Muthappan

For Respondents: Mr.P.Kumaresan (for R1 & R2)
Additional Advocate General
Assisted by Mrs.S.Anitha,
Special Government Pleader
Mr.Karthik Rajan (for R3)
for TNPSC

O R D E R

The learned Additional Advocate General, made a submission that the very same writ petitioner Mr.V.Balasubramanian, filed another writ petition in W.P.No.26780 of 2013 and in the said writ petition, final order has been passed by this Court on 08.12.2020. Based on the final order passed by this Court, the Director General of Police, considered the issues and submitted a report to the Additional Chief Secretary to Government, Home Department, in his proceedings R.C.No.111125/GB-2(1)/2016 dated 06.05.2022. Thus, the Government has to consider and pass appropriate orders in this regard.

2.The learned Additional Advocate General made a further submission that such orders will be passed by the appropriate authorities as expeditiously as possible.

3.In view of the fact that now the matter is pending consideration before the Government for issuing final orders, no further adjudication is required in the present writ petition. However, in the event of receiving any such order from the appropriate authority, the petitioner is at liberty to approach the appropriate authority /competent forum for the purpose of redressal of his grievances.

4.With the above observation, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
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Fort St. George, Chennai - 9.
2. The Director General of Police,
Dr.Radhakrishnan Salai,
Myalore , Chennai - 4.
3. The Secretary,
Tamil Nadu Public Service Commission,
Chennai -1.

+1cc to Mr.M.Muthappan, Advocate, S.R.No.41335

+1cc to the Government Pleader, S.R.No.41992

W.P.No.5677 of 2014

GPL(CO)
RGA(19/07/2022)