



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.15533 of 2019

and

W.M.P. (MD) No.12181 of 2019

T.Ravichandran

... Petitioner

-VS-

1. The Secretary to Government,
Home (Police III) Department,
Fort St. George, Chennai-19.

2. The Director General of Police,
Law and Order, Kamarajar Salai,
Mylapore, Chennai.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent herein to include the petitioner's name in the Panel for promotion as on date, for the promotion for the post of Inspector of Police with due seniority and consequently to promote the petitioner to the post of Inspector of Police in the existing vacancy.

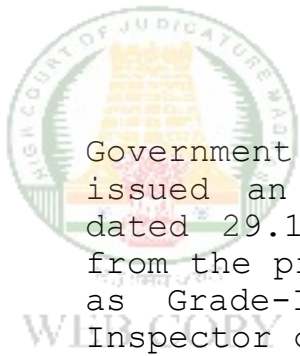
For Petitioner : Mr.H.Thayumanaswamy

For Respondents: Mr.G.V.Vairam Santhosh
Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is to direct the respondents to include the name of the writ petitioner in the panel for promotion to the post of Inspector of Police.

2. The petitioner was appointed as Grade-II Police Constable on 25.05.1988. Thereafter, he was elevated as Grade-I Police Constable during the year 1996. The petitioner was posted to serve in the Special Task Force for about eight years at Sathyamangalam and its surrounding areas to nab the notorious Sandalwood Smuggler Veerappan. The Special Task Force members were rewarded by the



Government of Tamil and as a mark of encouragement, the Government issued an order in G.O.(Ms)No.1252, Home (Pol.VIII) Department, dated 29.10.2004 granting one accelerated promotion of one stage from the present rank. Accordingly, the petitioner, who was working as Grade-I Police Constable was promoted to the post of Sub Inspector of Police.

3. The learned counsel for the petitioner made a submission that the juniors to the petitioner were promoted to the post of Inspector of Police and therefore, the case of the writ petitioner is to be considered.

4. However, the petitioner has not impleaded any such junior, who was granted accelerated promotion pursuant to the said G.O.Ms.No.1252, dated 29.10.2004 and promoted as Inspector of Police over and above the petitioner. In the absence of any such clear fact, this Court cannot consider for issuance of direction to the authorities to promote the petitioner as Inspector of Police. The Government Order granting accelerated promotion clearly indicates that "the names of individual, who are granted accelerated promotion be placed at the bottom of the seniority list of the respective category existing on the date of their joining duty in the new post". Therefore, the petitioner was placed at bottom in the seniority list and whenever his turn comes for promotion to the post of Inspector of Police, as per his seniority, the authorities have to consider the petitioner's case by scrutinizing his eligibility and other criteria as per the rules in force.

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

Sd/-

Assistant Registrar(CS-III)

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/ /2022

Sub Assistant Registrar(CS)

abr

To

1. The Secretary to Government,
Home (Police III) Department,
Fort St. George, Chennai-19.



2. The Director General of Police,
Law and Order, Kamarajar Salai,
Mylapore, Chennai.

+1 CC to M/s.H. THAYUMANASWAMY, Advocate (SR-19999[F] dated
21/04/2022)

+1 CC to M/s.SPL.GP. (SR-20741[F] dated 22/04/2022)

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ss (CO)
TR(06.05.2022) 3P 5C