



W.P.(MD).No.18666 of 2015

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2022
CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.18666 of 2015
and
M.P.(MD).Nos.1 and 2 of 2015

R.Senthamarai Selvi

... Petitioner

Vs.

1.The Director General of Police,
Office of the Director General of Police,
Mylapore,
Chennai - 600 004.

2.The Deputy General of Police,
Tiruchirapalli Region,
In Charge Thanjavur Region,
Trichy District.

3.The Superintendent of Police,
District Police Office,
Pudukottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the order of the first respondent in Rc No. 080515/AP IV (1)/2014 dated 11.04.2015, confirming the order of the second respondent in Na.Ka.No. P2/Appeal .8/ 14 dated 26.03.2014 modifying the order of the third respondent in



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Na.Ka.No.K2/TP54/2014 dated 31.01.2014, and quash the same and consequently, direct the respondents herein to forthwith promote the Petitioner as Inspector of Police with effect from date on which her juniors were promoted as per 'C' list for promotion as Inspector of Police dated 12.06.2014, with all attendant benefits.

For Petitioner : M/s.A.L.Ganthimathi

For Respondents : Mr.C.Baskaran,
Government Advocate.

ORDER

This Writ Petition has been filed for Writ of Certiorarified Mandamus to quash the impugned order dated 11.04.2015, confirming the order of the second respondent dated 26.03.2014 modifying the order of the third respondent dated 31.01.2014 and consequently, direct the respondents to promote the petitioner as Inspector of Police with effect from date on which her juniors were promoted as per 'C' list for promotion as Inspector of Police dated 12.06.2014, with all attendant benefits.

2. The petitioner faced domestic enquiry based on the charge memo dated 31.09.2013 under Rule 3(a) of the Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules, 1955.



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3. When the Writ Petition was taken up for hearing, the respondents circulated G.O.Ms.No.559 Home (Police VI) Department, dated 07.12.2021, wherein, the State Government has announced on the floor of the Legislative Assembly cancelling of all the minor punishments to the police personnel which are affecting the promotion of the delinquents. Since the Writ Petition is pending before this Court, it ought to be considered that the disciplinary proceeding is pending for adjudication. Therefore, the benefits of the G.O.Ms.No.559 Home (Police VI) Department, dated 07.12.2021 ought to be granted to the petitioner.

4. The State Government has already considered the issue to cancel the minor punishment if it is initiated under Rule 3(a) and if it is affecting the promotional aspects of the delinquent under G.O.Ms.No.559, Police Department, dated 07.12.2021. Therefore, the respondents are directed to consider the case of the petitioner in the light of the G.O.Ms.No.559 and pass orders and also grant all other attendant benefits. The respondents shall also consider the petitioner for promotion as well. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order



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5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

19.10.2022

Index : Yes / No

Internet : Yes

Nsr

To

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S.SRIMATHY, J

Nsr

Order made in
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19.10.2022