



W.P(MD)No.6681 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.6681 of 2017

N.Manikandan,

: Petitioner

Vs

1. The Secretary to Government,
Government of Tamilnadu,
Home Department,
Fort St. George, Chennai

2. The Director General Of Police,
Kamarajar Salai,
Chennai - 600 004.

3. The Deputy Inspector General Of Police,
Dindigul Range, Dindigul.

4. The Superintendent of Police,
Theni District, Theni.

: Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the 4th respondent herein in Na.ka.No.A1/23261/665/2016 dated 22.09.2016 and quash the same and consequently direct the respondents



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herein to upgrade the service of the petitioner as Grade-I, Constable as on 30.04.1999 instead of 27.09.1999 as well as Head constable as on 30.04.2004 instead of 27.09.2004 and also in the post of Special Sub Inspector of Police as on 01.05.2014 instead of 01.11.2014 with all service benefits including other monetary benefits.

For Petitioner : Mr.Karuppasamy Pandian
For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

This Writ Petition had been filed for issuance of Certiorarified Mandamus to quash the order in Na.ka.No.A1/23261/665/2016 dated 22.09.2016 and consequently direct the respondents herein to upgrade the service of the petitioner as Grade-I, Constable as on 30.04.1999 instead of 27.09.1999 as well as Head constable as on 30.04.2004 instead of 27.09.2004 and also in the post of Special Sub Inspector of Police as on 01.05.2014 instead of 01.11.2014 with all service benefits including other monetary benefits.

2. The claim of the petitioner is that the petitioner is entitled to be considered for upgradation as Grade-I, Constable as on 30.04.1999 itself instead of that the respondents have upgraded the petitioner only on



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27.09.1999. The petitioner relies on the order passed by the City Police Office, Coimbatore City for the Head Constable namely C.Cabriel and S.Jayaraj, Wherein, date of enlistment of those two Head Constables is from 30.04.1989. The petitioner was also enrolled on the same day i.e., 30.04.1989, however in Madurai. Since the similarly placed persons were granted upgradation on 30.04.1999 itself, the petitioner is prejudiced because he was granted upgradation only on 27.09.1999.

3. In the meanwhile, the issue of granting upgradation was considered by the Full Bench and several directions have been issued. Therefore, this Court, without going into the merits of the case, directs the first respondent to consider and pass orders in the light of the Full Bench Judgment rendered in ***W.A.Nos.3748 of 2019 and batch, dated 04.02.2022***, within a period of twelve weeks, from the date of receipt of a copy of this order. No costs.

11.10.2022

Index : Yes / No
Internet : Yes/ No
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S.SRIMATHY, J.

lr

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