



W.P(MD)No.8858 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.8858 of 2016

and

W.M.P(MD).No.7057 of 2016

V. Ganapathu Subramanian,

: Petitioner

Vs

1. The Deputy Inspector General Of Police,
Tirunelveli Range,
Tirunelveli

2. The Commissioner of Police,
Tirunelveli City, Tirunelveli

: Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to promote the petitioner as Special Sub Inspector of Police in Tirunelveli District retrospectively with effect from the date on which his immediate junior was promoted to the post of Special Sub Inspector of Police with arrears of pay.



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For Petitioner : Mr.M.Saravana Kumar
For Respondents : Mrs.D.Farjana ghoushia
Special Government Pleader

ORDER

This writ petition had been filed in the nature of Mandamus, seeking a direction to the respondents to promote the petitioner as Special Sub Inspector of Police in Tirunelveli District retrospectively with effect from the date on which his immediate junior was promoted to the post of Special Sub Inspector of Police with arrears of pay.

2.The learned Counsel appearing for the petitioner submitted that a criminal case has been registered against the petitioner and five others, for the allegation of illegal ratification, wherein, the petitioner was involved in a trap case. The criminal case was registered in Crime No.12 of 2009, for the offence under Section 102 Cr.P.C., and the same is pending before the Special Tribunal.

3.The contention of the petitioner is that there are five other accused persons in this case. However, the petitioner alone was discriminated and the other accused persons were granted promotion in spite of pending criminal



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case.

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4. Therefore, this Court without expressing anything on merits, directs the respondents to consider the petitioner claim for promotion based on the promotion granted to the other co-accused persons, within a period of four weeks, from the date of receipt of a copy of this order.

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

21.09.2022

Index : Yes / No

Internet : Yes/ No

lr

To

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Tirunelveli Range,
Tirunelveli

2. The Commissioner of Police,
Tirunelveli City, Tirunelveli



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S.SRIMATHY, J.

lr

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