



WEB COPY



W.P. No.715 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.715 of 2023

S. Shanmugarajan

.. Petitioner

vs.

The Superintendent of Police,
Kallakuruchi District,
Kallakuruchi - 606 213.

.. Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider and dispose of the representation dated 03.12.2022 submitted by the petitioner by granting him promotion retrospectively as Constable Grade I and as Head Constable along with annual increments from February 2014 in accordance with directions of this Court in W.P. No.18616 of 2013.

For Petitioner	:	Mr.V. Vijay Shankar
For Respondent	:	Ms.E. Indumathi, Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

2. Ms.E. Indumathi, learned Government Advocate accepts notice for the respondent.



W.P. No.715 of 2023

3. The grievance of the petitioner in this writ petition is that despite being reinstated to the post of Constable Grade – II pursuant to the directions given by this Court on 05.09.2013 in W.P. No.18616 of 2013, till date, he has not been granted any promotion. According to the petitioner by now, he should have been promoted as Head Constable. The petitioner has given a representation on 03.12.2022 seeking for promotion retrospectively as Constable Grade – I and as Head Constable along with annual increments from February 2014 onwards in accordance with the directions of this Court issued on 05.09.2013 in W.P. No.18616 of 2013. Since the representation has not been considered till date, he has filed this writ petition.

4. Heard Mr.V.Vijay Shankar, learned counsel for the petitioner and Ms.E. Indumathi, learned Government Advocate appearing for the respondent.

5. The petitioner was reinstated into service as a Grade – II Constable pursuant to the direction given by this Court on 05.09.2013 in W.P. 18616 of 2013. The grievance of the petitioner is that despite being reinstated into service, he has not been granted any further promotion. According to him, he ought to have been promoted as Constable - Grade I and thereafter to the post of Head Constable.



W.P. No.715 of 2023

6. No prejudice would be caused to the respondents, if the petitioner's representation as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. For the foregoing reasons, this Court directs the respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 03.12.2022, seeking for promotion retrospectively as Constable – Grade I and as Head Constable along with annual increments from February 2014, within a period of twelve weeks from the date of receipt of a copy of this order

8. It is for the respondents to decide as to whether the order dated 05.09.2013 passed by this Court in W.P. No.18616 of 2013 entitles the petitioner to seek for promotion.

9. With the aforesaid directions, this writ petition is disposed of.
No costs.

10.01.2023

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
Neutral citation case : Yes / No
vsi2



WEB COPY



W.P. No.715 of 2023

ABDUL QUDDHOSE, J.

vsi2

To :
The Superintendent of Police,
Kallakuruchi District,
Kallakuruchi - 606 213.

W.P. No.715 of 2023

10.01.2023