



W.P.No.1657 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.1657 of 2022

P.C. Thangaraj

...

Petitioner

versus

1. The Additional Chief Secretary to the Government,
Home Department, Fort St. George,
Chennai 600009

2. The Director General of Police,
Mylapore, Chennai 600004.

...

Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to accord all the attendant service benefits and back wages to the Petitioner for the designation of the Superintendent of Police in the light of the order passed in W.P.No.26404 of 2011 dated 01.03.2012 by implementing the G.Os in G.O.(Ms) No.361 dated 16.05.2012 and G.O.(Ms) No.231 dated 17.06.2021 issued by the Home Department.

For Petitioner : Mr. Balan Haridass for
Mr. S. Arumugam



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For Respondents : Mr. M. Alagu Gowtham
Government Advocate

ORDER

The Writ Petition has been filed for a direction to the Respondents to accord all the attendant service benefits and back wages to the Petitioner for the designation of the Superintendent of Police in the light of the order passed in W.P.No.26404 of 2011 dated 01.03.2012 by implementing the G.Os in G.O.(Ms) No.361 dated 16.05.2012 and G.O.(Ms) No.231 dated 17.06.2021 issued by the Home Department.

2. It is the case of the Petitioner that he was appointed as Sub-Inspector of Police in 1976 batch and got promoted as Inspector of Police, Dy.Superintendent of Police and Additional Superintendent of Police during the years 1988, 2003 and 2010 respectively. His seniority Number fixed by the TNPSC was 210 and his seniority in the Police Training College was 192. Though Promotions were given to 289 Sub-Inspectors to the 1976 batch, his name was not included in the list. Hence, the Writ



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Petitioner approached this Court by way of writ petition to restore his original seniority and the same was allowed by this Court in W.P.No.26404 dated 01.03.2012. The Government issued a G.O.Ms.No.361 dated 16.05.2012 to comply with the Order of this court and directed that the original seniority of the Petitioner be restored as 192. But the Respondents did not take any action.

3. After several reminders by the Petitioner, the 1st Respondent department issued another Government Order in G.O.(Ms) No.231 dated 17.06.2021 specifically ordered to include the name of the Writ Petitioner in the regular panel of Deputy Superintendent of Police (category-I) for the year 2000-2001 at Sl.No.65(A) in between the name of his immediate senior Tr.M.Subramanian, Sl.No.65 and the name of his immediate junior Tr.S. Shanmuganathan Sl.No.66 approved in the G.O.Ms.No.1026 dated 15.10.2001 and also ordered that his name be deleted from the regular panel to the post of Deputy Superintendent of Police for the year 2001-2002 at Sl.No.17, approved in the G.O.Ms.No.583 dated 30.06.2003 and his pay shall be fixed in the post of Deputy Superintendent of Police (Category I)



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w.e.f.12.08.2002 (i.e.) the date of officiation of his immediate junior Thiru S. Shanmuganathan as Deputy Superintendent of Police (Category-I) as per the ruling 17 under FR.27.

4. As the Government has specifically ordered in G.O.Ms.No.361 Home (Police-III) Department dated 16.05.2012 and G.O.Ms.No.231 Home (Pol.2) Department dated 17.06.2021, the Respondents are directed to implement the same within a period of three (3) months from the date of receipt of copy of this Order.

5. With the above direction this Writ Petition is disposed of. No costs.

28.07.2023

NCC : Yes /No

Index : Yes/No

ggs

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N.SATHISH KUMAR, J.,
ggs

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