



W.P.No.20718 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.20718 of 2012

J.Jones

....

Petitioner

Vs

The Commissioner of Police,
Egmore, Chennai – 8.

....

Respondent

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondent to promote the petitioner as regular Sub-Inspector of Police (local) retrospectively from the date on which his immediate junior namely Dominic Xavier was promoted in terms of the proceedings of the Director General of Police dated 27.11.2011 issued in Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.No.212138/NGB.IV (1)/2011 and the consequential proceedings of the respondent dated 14.12.2011 issued in Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.No.Estt.III(1) 347/61818/2011, CPO.No2573/2011 and consequently to pay the eligible



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arrears of pay & allowances arising out of such retrospective promotion, within the prescribed time limit.

For Petitioner : Mr.P.I.Thirumoorthy

For Respondent : Mr.V.Veluchamy
Additional Government Pleader

ORDER

This Writ Petition has been filed for direction directing the respondent to promote the petitioner as regular Sub-Inspector of Police (Local) retrospectively from the date on which his immediate junior namely Dominic Xavier was promoted in terms of the proceedings of the Director General of Police dated 27.11.2011 issued in Rc.No.212138/NGB.IV (1)/2011 and the consequential proceedings of the respondent dated 14.12.2011 issued in Rc.No.Estt.III(1) 347/61818/2011, CPO.No.2573/2011 and consequently to pay the eligible arrears of pay and allowances arising out of such retrospective promotion, within the prescribed time limit.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the materials available on record.



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3. Pending Writ Petition, the sole petitioner died. However, the legal representatives have not taken any steps to substitute themselves in the place of the petitioner.

4. The learned Additional Government Pleader appearing for the respondent submitted that pending writ petition, the petitioner was also notionally promoted to the post of Sub-Inspector and he was paid with all the arrears, salary and other benefits.

5. In view of the above, this Writ Petition stands dismissed as abated. However, the legal representatives of the petitioner, if any, are at liberty to approach this Court to substitute themselves in the place of the deceased petitioner. If any grievance over the representation made by the Additional Government Pleader, the legal representatives of the petitioner have to approach the respondent in the manner known to law. There shall be no order as to costs.

04.09.2023.

Internet : Yes
Index : Yes/No
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G.K.ILANTHIRAIYAN, J.

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To

The Commissioner of Police,
Egmore, Chennai – 8.

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