



W.P.No.27302 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.27302 of 2012

T.Ravichandran

... Petitioner

Vs.

1. The Secretary to Government,
Home (Police) Department,
Fort St., George,
Chennai-9.

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

3. The Commissioner of Police,
Egmore,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus or any other Writ, Order or Direction in the nature of Writ of Mandamus, to direct the 1st Respondent to consider the representation of the petitioner dated 19.09.2011 for retrospective promotion as Sub-Inspector from 2001 on par with my juniors.



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For Petitioner : Mr.R.Premnarayan

For Respondents : Dr.T.Seenivasan
Special Government Pleader

* * * * *

ORDER

The Writ Petition has been filed by the petitioner to direct the first respondent to consider his representation dated 19.09.2011 for retrospective promotion as Sub-Inspector from 2001 on par with his juniors.

2. The petitioner was initially appointed as Grade II Constable on 27.02.1986 and later, promoted as Head Constable on 02.07.1992. Subsequently, he was promoted to the post of Sub Inspector with effect from 25.09.2008. Some of the batch-mates and juniors, who were deputed to Motor Transport Department as drivers, made representations seeking retrospective promotion and some of them filed Writ Petitions before this Court. Their request was considered by the respondents and the respondent issued G.O.Ms.No.166 Home dated 12.02.2010 granting



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the benefit of promotion on par with similarly placed persons. The persons who got promotion as Sub Inspector of Police from 2001 – 2002 were juniors and as such, the petitioner submitted a representation to the respondents seeking retrospective promotion as Sub-Inspector from 2001 on par with his juniors.

3. On perusal of the counter filed by the respondents, it is revealed that two persons who are working under Armed Reserve, Motor Transport, Greater Chennai Police have filed the Writ Petition in W.P.No.25043 of 2002 before this Court. They contended that they were recruited as Police Constable Grade II in the year 1986 and they were posted to Armed Reserve and some others, who have possessed valid driving license, were posted to Motor Transport. Separate promotion tests were conducted for the Police personnel serving in the Armed Reserve and Motor Transport. More promotional avenues are available for the police personnel who are working in the Armed Reserve and they have got promotion to the higher ranks periodically. But, the police personnel working in the Motor Transport were not allowed to



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participate in the promotional tests conducted for the police personnel working in the Armed Reserve. They have participated in the Motor Transport promotion test and some of the personnel in the Motor Transport Wing have been promoted to the post of Police Constable Grade I during 1993. According to the Special Rules of the Tamil Nadu Police Subordinate Service, Armed Reserve, Motor Transport, Local Police, etc., are distinct units for the purpose of promotion and Motor Transport is considered as specialised unit carrying Special Pay.

4. This Court in W.P.No.25043 of 2002 dated 18.09.2007 has given a direction that in the absence of special rules and information regarding how these three units, namely, Motor Transport Wing of Chennai City Police, Armed Reserve Police and Local Police, are being treated as distinct units for promotional avenue to the persons who appointed under one recruitment and posted in the above three departments.



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5. As per directions of this Court, some of the juniors have been promoted to the post of Sub-Inspector of Police and their names have been included in the “C” list of Head Constables (Armed Reserve) fit for promotion as the Sub-Inspector of Police (Armed Reserve) drawn for the years 2001-2002. Therefore, the petitioner is not eligible to avail the benefit similar to the benefits given to the Police Personnels of Motor Transport Wing of Greater Chennai Police.

6. In view of the above, the request made by the petitioner cannot be considered and the Writ Petition is devoid of merits and the same is liable to be dismissed. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

01.09.2023

mfa/gvn

Internet: Yes

Index: Yes/No

Speaking/Non speaking order



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To

1. The Secretary to Government,
Home (Police) Department,
Fort St., George,
Chennai-9.
2. The Director General of Police,
Mylapore,
Chennai.
3. The Commissioner of Police,
Egmore,
Chennai.
4. The Public Prosecutor,
High Court, Chennai.



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G.K.ILANTHIRAIYAN,J.,

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