



WEB COPY



W.P.No. 28932 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2023

CORAM:

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

W.P.No. 28932 of 2012

D.Arul Das

... Petitioner

Vs.

1. The Director General of Police,
Dr. Radhakrishnan Salai,
Chennai-600 004.

2. The Deputy Inspector General of Police,
Coimbatore Range,
No.5, Race Course, Kamarajar Road,
Coimbatore Central,
Coimbatore-641 018.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider promoting this petitioner from the post of Sub-Inspector of Police to Inspector of Police on and from the date of promotion of his junior officers with all other attendant benefits.

For Petitioner : Ms.Gopika Nambiar
for Mr.Govind Chandrasekhar

For Respondents : Mr.K.H.Ravikumar,
Govt. Advocate



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Inspector of Police. However, the petitioner was not considered for promotion to the post of Inspector of Police and he retired from his service on 31.10.2012 on the attainment of superannuation.

4. A perusal of the counter filed by the second respondent revealed that the juniors, who were promoted to the post of Inspector of Police, had completed the promotion test for drawal of “C” list of Head Constables fit for promotion of Sub Inspector of Police in the year 1999. Therefore, there were promoted to the post of Sub Inspector of Police and thereafter, they were in the panel for promotion to the post of Inspector of Police in the year 2010-2011 itself. Therefore, they were promoted to the post of Inspector of Police. However, on the date of drawing the panel, the petitioner was not qualified and had not completed his service of 10 years and as such, his name was not included in the panel for the promotion to the post of Inspector of Police.

5. The learned counsel appearing for the petitioner vehemently contended that as per the stand taken by the second respondent, the promotion would be made in terms of merit, ability or seniority under Standing Orders No. 36(1) Tamil Nadu Police Standing Orders. It is not a



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case of the respondents that the petitioner lacks on merit for the promotion to the post of Inspector of Police.

6. Considering the above, the petitioner is directed to make a fresh representation to the second respondent forthwith and on receipt of the same, the second respondent is directed to consider the case of the petitioner, after giving an opportunity to the petitioner and pass appropriate orders on merits and in accordance with law, within a period of four weeks, thereafter.

7. With the above direction, this Writ Petition is disposed of.
There shall be no order as to costs.

22.08.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
Lpp

To

1. The Director General of Police,
Dr. Radhakrishnan Salai,
Chennai-600 004.



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2. The Deputy Inspector General of Police,
Coimbatore Range,
No.5, Race Course, Kamarajar Road,
Coimbatore Central,
Coimbatore-641 018.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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