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W.P.No.1877 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2023

C O R A M

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**W.P.No.1877 of 2023**

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Petitioner

**Vs.**

1. The Government of Tamil Nadu,  
Rep. by its Secretary to Home Department,  
Fort.St.George,  
Chennai-600 009.

2. The Director General of Police,  
Kamarajar Salai,  
Mylapore,  
Chennai-600 004.

3. The Superintendent of Police,  
Villupuram,  
Villupuram District.

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Respondents

**PRAYER:** The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other appropriate writ, or order, or direction in the nature of a writ directing the 2<sup>nd</sup> and 3<sup>rd</sup> respondents to revise and regularized the service seniority and give the notional promotion and revise the pension with monetary benefits equal to the post of Deputy Superintendent of Police rank to the petitioner on the basis of the implementation order passed



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to one D.Thangapandian SSI, S.Michel Antony SSI, R.Paul Durai SSI and their proceedings proceedings C.No.A1/12265/2013, R.O.O.No.141/ 2015 dated 27.03.2015, on the basis of the petitioner's representation dated 27.08.2021.

For Petitioner : M/s.A.Rajaram

For Respondents : Ms.M.Jayanthi,

Additional Government Pleader

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### **ORDER**

This Writ Petition has been filed for the issuance of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 27.08.2021 wherein the petitioner has sought for revision of his seniority and for grant of notional promotion and for revision of pensionary benefits.

2. Heard M/s.A.Rajaram, learned counsel appearing for the petitioner and Ms.M.Jayanthi, learned Additional Government Pleader appearing for the respondents.

3. The petitioner was appointed as a Grade-I Police Constable on 01.02.1972. He was promoted as Head Constable and thereafter as Inspector of



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Police and he was retired on 31.08.2007.

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4. The grievance of the petitioner is that there was a substantial delay in considering his promotion to the post of Sub Inspector of Police and as a result of the same, he was deprived of the further promotions and other benefits during his service.

5. Similarly placed persons filed a Writ Petition before this Court and orders were passed by directing the respondents to consider their case. According to the petitioner, he is also similarly placed and he is entitled for the benefits of the orders passed by this Court. Hence representation was made on 27.08.2021 in this regard. Since the same was not considered, the present Writ Petition has been filed.

6. In the considered view of this Court, the petitioner retired in the year 2009 and till his retirement, he had not sought for any revision of his seniority. Now the petitioner is attempting to take advantage of the orders passed in certain Writ Petitions subsequent to his retirement. The petitioner gave a representation in the year 2021, nearly 14 years after his retirement. Such representations can never be entertained and if this attitude is entertained, there



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will be no end for considering representations. When the petitioner has approached this Court seeking for the issuance of Writ of Mandamus, he has to establish that he has a legal right.

7. In the considered view of this Court, the petitioner does not have a legal right to take advantage of the subsequent orders of this Court more particularly after his retirement. This Court does not find any merits in this Writ Petition.

8. In view of the above, this Writ Petition stands dismissed. No Costs.

**27.01.2023**

Speaking Order/Non-Speaking Order.

Internet : Yes/No.

Index: Yes/No.

Neutral Citation: Yes/No

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To  
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1. The Commissioner,  
Salem City Municipal Corporation,  
Salem-636 001.
2. The commissioner of Municipal Administration,  
No.75, Santhome High Road,  
MRC Nagar, Raja Annamalaipuram,  
Chennai-600 028.
3. The Secretary to Government,  
Municipal Administration and Water Supply Department,  
Secretariat, Chennai-600 009.



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**N. ANAND VENKATESH, J.**

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**27.01.2023**