



WEB COPY



W.P.No.19486 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19486 of 2023

S.Karuppasamy

...Petitioner

Vs.

1.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai - 4.

2.The Superintendent of Police,
District Police Office,
Sivagangai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner for promotion to the post of Sub-Inspector of Police on par with his juniors retrospectively, from the year 2004, with effect from the date of promotion given to his juniors and to confer consequential promotion as Inspector of Police with effect from the year 2015, on par with them, with all attendant and monetary benefits, by considering the petitioner's representations dated 12.10.2021 and 25.07.2022.

For Petitioner : Mr.V.Ravikumar



W.P.No.19486 of 2023

WEB COPY

For Respondents : Mr.S.Prabhakaran,
Government Advocate

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner herein had given representations to the first respondent on 12.10.2021 and 25.07.2022 to consider the petitioner for promotion to the post of Sub-Inspector of Police on par with his juniors retrospectively, from the year 2004, with effect from the date of promotion given to his juniors and to confer consequential promotion as Inspector of Police with effect from the year 2015, on par with them, with all attendant and monetary benefits. Since the representations have not been considered, the present Writ Petition is filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast on him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such,



W.P.No.19486 of 2023

non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct him to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representations dated 12.10.2021 and 25.07.2022, on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

hvk

30.06.2023

M.S.RAMESH,J.



W.P.No.19486 of 2023

hvk

WEB COPY To

1.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai - 4.

2.The Superintendent of Police,
District Police Office,
Sivagangai District.

W.P.No.19486 of 2023

30.06.2023