



W.P(MD)No.5967 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.5967 of 2018

and

W.M.P(MD)Nos.5833, 5834 and 21929 of 2018

K.Kasilingam

... Petitioner

Vs.

01.Union of India,
Ministry of Railways,
Rep. by Deputy Director/Sec(E),
Railway Board,
Raj Bhavan, New Delhi.

02.The Chief Security Commissioner,
O/o.Railway Protection Force,
Moore Market Complex,
Southern Railway, Chennai – 3.

03.The Principal,
RPF Training Centre,
Kajamalai, Trichy.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Certiorari, calling for the entire records from the second respondent pertaining to X/P535/IPF/Adhoc/III



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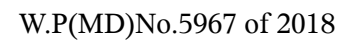
dt. 06.03.2018 and quash the same and consequently, direct the 2nd and 3rd respondent to keep the petitioner in Inspector Post as per the third respondent OO.No.12/18.

For Petitioner :Mr.R.Ramamy
For Respondents :Mr.S.Manohar

ORDER

This writ petition has been filed to quash the proceedings of the second respondent in X/P535/IPF/Adhoc/III, dated 06.03.2018 and consequently, to direct the 2nd and 3rd respondents, to keep the petitioner in the post of Inspector as per the order of the third respondent in OO.No.12/18.

2. The case of the petitioner is that the petitioner joined the Railway Protection Force(hereinafter referred to as “RPF”) as Constable in the year 1984 and subsequently, he was promoted as Assistant Sub-Inspector in the year 2001 and again, in the year 2013, he was promoted as Sub-Inspector. Subsequently, in the year 2017, he was promoted as Inspector on *ad hoc* basis with a condition not to claim seniority in the higher Grade. Thereafter, once in three months, he was reverted to Sub-Inspector of Police in a day's break. On that basis, the



3. The learned counsel appearing for the petitioner would submit that once in three months, the petitioner was promoted as Inspector and in a days break, he was reverted to Sub-Inspector. Once the petitioner was promoted as Inspector, within three month, he cannot be reverted to Sub-Inspector unless there is a complaint against him. Therefore, the impugned reversion order is contrary to the relevnat Rules and hence, prays for allowing of this writ petition.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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5. This Court perused the promotion order, dated 10.11.2017, which clearly shows that the petitioner was promoted to the rank of Inspector in the pay matrix level-VII purely on *ad hoc* basis and posted as Inspector with effect from 11.11.2017, by specifically mentioning that the above *ad hoc* promotion shall be for a period of three months and he will be reverted to his substantive Grade once in every three months and he may be re-promoted on *ad hoc* basis after a day's break and he has no claim on seniority in the higher Grade at a later date. When such a categorical clear term was mentioned in the promotion order, the prayer sought for by the petitioner is not maintainable.

6. In the result, this Writ Petition is dismissed.
No Costs. Consequently, connected Miscellaneous Petitions are closed.

22.02.2023

NCC:Yes/No
Index: Yes/No
pm



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M.DHANDAPANI, J.

pm

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