



W.P.(MD).No.7139 of 2017

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 03.02.2023**

**CORAM**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P.(MD).No.7139 of 2017**

**and**

**W.M.P(MD)Nos.5639 & 5640 of 2017**

L.Kathiravan

... Petitioner

Vs.

The Additional Director General of Police &  
Inspector General of Prisons,  
Chennai – 600 008.

... Respondent

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records passed by the respondent herein in No.42342/EW.2/2015 dated 15.02.2017 and quash the same and consequently direct the respondent herein to include the petitioner's name at Sl.No.27(a) below Sl.No.27 Thiru Michaelrajan and above Sl.No.28 Thiru P.Murugaelango in the proceedings of the respondent passed in No.42342/EW.2/2015 dated 27.01.2017 and promote the petitioner as Grade-I Warder with effect from 27.01.2017 (i.e.) the date of promotion of the petitioner's junior.



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W.P.(MD).No.7139 of 2017

For Petitioner : Mr.M.Padmavathy

For Respondent : Mr.R.Suresh Kumar  
Additional Government Pleader

### **ORDER**

This writ petition is filed to quash the impugned order, dated 15.02.2017 and grant promotion to the petitioner by keeping the petitioner's name in Serial No.27(a) below the Serial No.27 of one Thiru. Michaelrajan and grant promotion.

2. The petitioner underwent punishment during the period of consideration for the year 2015-2016. However, the claim of the petitioner is that the said punishment cannot be taken into account while considering the petitioner's promotion. Since as on the date of consideration there was no currency of punishment, hence the petitioner is eligible to be included in the panel. The currency of punishment started from 01.04.2016 vide order, dated



W.P.(MD).No.7139 of 2017

11.03.2016. However, the panel was prepared for the year 2015-16. As on the date of preparation of panel for the period 2015-16, there was no currency of punishment. However, the claim of the petitioner was refuted by the respondent by stating the cutoff date for consideration is 15.07.2015. Moreover, the petitioner underwent two more punishment previously. At the time of consideration for the period 2015-16, there was another punishment imposed on the petitioner for the period from 20.01.2015 to 25.01.2016. Therefore, the claim of the petitioner cannot be considered. Hence, the writ petition is devoid of any merits and the same is dismissed. However, the petitioner is otherwise qualified for the subsequent years, his name may be considered.

3. With this observation, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

**03.02.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes/ No

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W.P.(MD).No.7139 of 2017

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To

The Additional Director General of Police &  
Inspector General of Prisons,  
Chennai – 600 008.

**S.SRIMATHY, J.**

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**W.P.(MD).No.7139 of 2017**



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W.P.(MD).No.7139 of 2017

**03.02.2023**