



W.A(MD) No.48 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.A.(MD) No.48 of 2023

K.Govindasamy

... Appellant

-VS-

1.The Director General of Police,
Mylapore, Chennai – 600 004.

2.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.

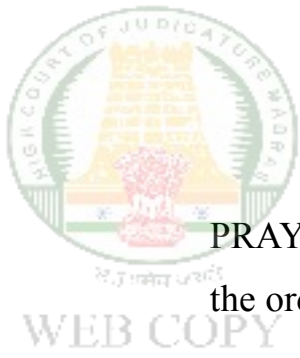
3.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

4.The Superintendent of Police,
Nagercoil, Kanyakumari District.

5.The Inspector of Police,
Armed Reserved,
Nagercoil, Kanyakumari District.

6.The Inspector of Police,
Armed Reserved, IInd Platoon,
Nagercoil,
Kanyakumari District.

... Respondents



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PRAYER: Writ Appeal filed under Section 15 of Letters Patent against the order dated 29.09.2022 made in W.P.(MD)No.3261 of 2017.

For Appellant : Mr.S.Sivakumar

For Respondents : Mr.M.Sarangan,
Addl. Government Pleader.

JUDGMENT

(Judgment of the Court was delivered by **D.KRISHNAKUMAR, J.**)

Challenging the order dated 29.09.2022 made in W.P.(MD)No. 3261 of 2017, the appellant has come forward with this writ appeal.

2. It is the case of the appellant that he was enlisted as Grade II Police Constable for duty on 01.12.2013 and he would complete his 10 years of service as on 30.11.2013 and his punishment period was over on 21.11.2013. According to him, he is entitled for selection grade promotion as on 01.12.2013. However, the 4th respondent has upgraded the appellant as Grade I PC with effect from 01.03.2016. As against the said order, the appellant has filed the said writ petition. The Writ Court, following the Full Bench Judgment dated 15.03.2022, in W.A.Nos.3748 of 2019 etc. batch, *[State of Tamil Nadu and others Vs. C.Srinivasan]*,



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dismissed the writ petition with liberty to the appellant to claim his request after disposal of the S.L.P.No(s).6980 to 6996 of 2018.

3. The learned counsel appearing for the appellant submitted that the appellant is entitled for re-fixation of the pay scale, on completion of 10 years in the Grade II Police Constable. However, the writ Court has not considered the said fact and therefore, the order of the learned Single Judge warrants interference.

4. We have heard the learned counsel appearing on either side and perused the materials available on record.

5. On a perusal of the records, it is seen that the Writ court dismissed the writ petition with liberty to the appellant to approach the authority, after disposal of the Special Leave Petition by the Hon'ble Supreme Court. Considering the facts and circumstances of the case, we are of the view that there is no merit in this Writ Appeal and therefore, the order passed by the learned single Judge is sustainable and warrants no interference.



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6. Accordingly, this Writ Appeal is dismissed. No costs.

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[D.K.K., J.] [R.V., J.]

19.01.2023

NCC : Yes / No

Index : Yes / No

vsm



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