



W.P.No.671 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.671 of 2023 &

W.M.P.No.613 of 2023

1. S.Ponkarthikkumar
2. V.V.Geetanjali

... Petitioners

Versus

1. The State of Tamilnadu
rep. By its Additional Chief Secretary
to Government,
Home (Police-2) Department,
Secretariat, Chennai – 6
2. The Director General of Police,
Dr,Radhakrishnan Road,
Mylapore, Chennai – 4
- 3.V.Pon Ramu
Superintendent of Police,
Chengalpet,
4. T.Mangaleswaran
Deputy Commandant,
XIV Battallion, Palani
5. P.Ravisekar
Additional Superintendent of Police,
Ariyalur
6. D.Ganasekaran
Additional Superintendent of Police,
Velur



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7. P.Muthukaruppan

Additional Superintendent of Police,
Ranipet

8. P.Annamalai

Additional Superintendent of Police,
Dharmapuri

9. H.Gangairaj

Additional Deputy Commissioner,
Avadi

10. V.Subbaraj

Additional Superintendent of police,
Thiruvannamalai

[Impleaded vide order dated 06.06.2023 made
in W.M.P.No.4041 of 2023 in W.P.No.671
of 2023 by MSRJ]

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents to revise and / or refix the inter-se seniority of petitioners in the promotion list to be released for the post of Superintendent of police, Category-1 by taking into account that the petitioners are direct recruits for the post of DSP, Category-1 for the recruitment years 2008-2009 and 2009-2010 and the representation dated 26.12.2022 sent to the 1st respondent by the 1st petitioner within time frame.

For Petitioners : Mr.K.Ravi Anantha Padmanaban

For Respondents : Mr.Abishek Murthy for R1 and R2
Government Advocate
Mr.V.Vijay Shankar for R3 to R10



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ORDER

This petition is filed for an issuance of a Writ of Mandamus directing the respondents to revise and / or refix the inter-se seniority of petitioners in the promotion list to be released for the post of Superintendent of police, Category-1 by taking into account that the petitioners are direct recruits for the post of DSP, Category-1 for the recruitment years 2008-2009 and 2009-2010 and the representation dated 26.12.2022 sent to the 1st respondent by the 1st petitioner within time frame.

2. When the petition is taken up for hearing, the learned counsel for the petitioners submitted that the relief sought for in this petition has already been granted and hence, this Writ petition may be closed. Further, the learned counsel for the petitioner has also filed a memo, which is reiterated as follows:-

“It is submitted that the petitioners filed the above writ petition seeking promotion earlier to the promotees from the rank of ADSP to SP, as per the rules. But the department was bent upon promoting the promotees first and it was implemented also. Subsequently, the petitioners were also promoted as SP and now they are serving as SP. Though



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no specific order for promotion is to be passed in this writ petition as the petitioners have been promoted, one important submission they intend to make before this Hon'ble Court. In the Revenue Department and for IAS, IPS, IFS, RDOs, Municipal Commissioners, the department publish the civil list which will standardize the seniority position of all direct requites or promotes. It will held them know their status of seniority and it will avoid unnecessary litigation. But it is not available in police department. Therefore, the petitioners pray the Hon'ble Court be pleased to direct the police department to publish the civil list of seniority from the rank of DSPs so that everyone will know when and how the promotion will come. In Police department, the seniority list is always released all of sudden giving rise to various litigation. This can be avoided if suitable direction is given in this Writ Petition."

The learned counsel for the petitioner would submit that the above are not followed in the police department and they are finding it difficult to challenge the said seniority list all of a sudden, when it is released hence they seek indulgence of this Court to take into account the said memo and pass appropriate orders.

3. The learned Government Advocate appearing for the respondents 1 and 2 would submit that as per prevailing rules and



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regulations, the petitioners were promoted and none of the juniors of the petitioners has been given promotion.

4. Considering the fact that the dispute has come to an end for the time being, this Court hereby directs the respondents to take into account the recommendations / memo filed by the learned counsel for the petitioners into mind and to follow the procedures in advance to avoid all the further litigation.

In view of the above, this Writ petition is disposed of. Consequently connected miscellaneous petition is closed. No costs.

29.11.2024

Index : Yes/No
Internet: Yes / No
Speaking order : Yes/No

ssd

To

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rep. By its Additional Chief Secretary
to Government,
Home (Police-2) Department,
Secretariat, Chennai – 6



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V.BHAVANI SUBBAROYAN, J.

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