



WEB COPY



W.P.No.5877 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.5877 of 2024

C.Rajadurai

... Petitioner

Vs.

- 1.The State of Tamilnadu,
Represented by its Secretary, Home Department,
Fort St.George,
Chennai 600 009
- 2.The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai 600 004
- 3.The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore 641 018
- 4.The Superintendent of Police,
State Bank Road,
Gopalapuram, Coimbatore 641 018

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing the respondents to recommend the petitioner's name for inclusion in the 'C' list for the promotion of DSP's to be drawn for the year 2023-24 by considering the petitioner's representation dated 08.11.2023 and 26.02.2024.



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For Petitioner : Mr.Naveen Kumar Murthy
for M/s.S.Varsha

For Respondents : Mr.K.Tamilvendan,
Government Advocate

ORDER

This writ petition has been filed for direction to the respondents to recommend the petitioner's name for inclusion in the 'C' list for promotion to the post of Deputy Superintendent of Police to be drawn for the year 2023-2024.

2. Heard, the learned counsel appearing on either side.

3. The petitioner was selected and appointed to the post of Sub Inspector of Police in the year 1997. Subsequently, he was promoted to the post of Inspector of Police in the year 2009. While being so, on a complaint, the petitioner was implicated as accused and after filing final report, the same was taken cognizance in SC.No.235 of 2016 on the file of the Additional Mahila Court, Salem. In pursuant to the same, the petitioner was removed from service. Thereafter, the criminal court



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acquitted the petitioner in SC.No.235 of 2016 on the file of the Additional Mahila Court, Salem. In pursuant to the order of acquittal dated 14.11.2017 by the criminal court in SC.No.235 of 2016 on the file of the Additional Mahila Court, Salem, he was reinstated into service in the year 2019. Thereafter, a private complaint was filed before the Judicial Magistrate, Udagamandalam. In pursuant to the said complaint, the Inspector of Police, B1 Police Station, Ooty registered FIR in crime No.489 of 2011 for the offences under Sections 347, 384, 406, 419, 506(i) of IPC r/w 34 of IPC. After completion of investigation, final report was filed and the same was taken cognizance in CC.No.101 of 2016 on the file of the Judicial Magistrate, Udagamandalam. By the judgment dated 31.10.2023, the trial Court acquitted the petitioner from all the charges. The petitioner is now eligible for inclusion in the 'C' list for promotion to the post of Deputy Superintendent of Police to be drawn for the year 2023-2024.

4. Considering the above facts and circumstances of the case, the respondents are directed to consider the case of the petitioner's name



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for inclusion in the 'C' list for promotion to the post of Deputy Superintendent of Police to be drawn for the year 2023-2024, if otherwise qualified.

5. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

05.03.2024

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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To

1. Secretary, Home Department,
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G.K.ILANTHIRAIYAN, J.

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