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W.P.No.8596 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2024

CORAM:

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

W.P.No.8596 of 2024 and
WMP.No.9557 of 2024

T.V.Ravi

... Petitioner

Vs.

- 1.The Secretary to Government,
Home (Police 1-A) Department,
Fort St.George,
Chennai 600 009
- 2.The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore,
Chennai 600 004
- 3.The Additional Director General of Police,
Armed Police,
Kilpauk, Chennai 600 010
- 4.The Inspector General of Police,
Armed Police, Kilpauk, Chennai 600 010
- 5.The Deputy Inspector General of Police,
Armed Police,
Kilpauk, Chennai 600 010
- 6.The Commandant,
Tamilnadu Special Police X Battalion,
Ullundurpet,
Pali Village, Ulundurpet, 601 004

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India



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praying to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 16.03.2020 and 26.09.2023 and regularize petitioners in the post of Sub Inspector of Police w.e.f. 20.04.1999 and grant further promotions as Inspector notionally by rearrange the seniority list with service benefits including monetary benefits as per directions of this Court in WP.Nos.15653 to 15658 of 2009 dated 07.06.2013 and further promote him as Commandant.

For Petitioner : Mr.M.Muthappan

For Respondents : Mrs.R.L.Karthika,
Government Advocate

ORDER

This writ petition has been filed for direction to the first respondent to consider the representation submitted by the petitioner seeking to regularise the petitioner in the post of Sub Inspector of Police with effect from 20.04.1999.

2. The petitioner was appointed as Grade-II Police Constable on 17.03.1986. Subsequently, the petitioner and his batchmates were promoted as Temporary Lance Naik on 24.01.1987 and they were regularised on 18.03.1990. Further, the petitioner was promoted as Temporary Naik on 16.02.1993 and regularised as 'A' Naik on



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19.04.1993. Subsequently, the petitioner and his batchmates were promoted to the post of Temporary Havildar and regularised in the said post on 18.03.1994. Subsequently, they were promoted to the post of Temporary Sub Inspector on 12.01.2001 and with effect from 18.03.2004, they were serving as 'A' List Regular Sub Inspector. Their services were regularised with effect from 18.03.1994 and they were granted benefits of regularisation contrary to Rule 9 of the Tamilnadu Special Police Subordinate Service Rules, 1978. Therefore, it was challenged in WP.Nos.15653 to 15658 of 2009. This Court by order dated 07.06.2013 allowed the writ petition and thereby directed the respondents to consider further promotional avenue of the petitioner. Accordingly, by the proceedings dated 05.12.2013, seniority list was revised and published on 05.12.2013 and consequently, all of them eligible for promotion to the post of Sub Inspector of Police with effect from 18.03.2003. One of his immediate junior submitted representation. However, it was not considered and therefore this Court was approached. However, the same was dismissed and aggrieved by the same, writ appeal in WA.No.2491 of 2013 was filed. Subsequently, the said writ appeal was dismissed as withdrawn by the order dated 13.03.2023.



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3. Though the learned Government Advocate appearing for the respondents submitted that the request made by the petitioner was not considered due to pendency of the writ appeal in WA.No.2491 of 2013, now the said writ appeal has been dismissed as withdrawn by an order dated 13.03.2023.

4. Therefore, the third respondent is directed to consider the request made by the petitioner seeking promotion to the post of Sub Inspector of Police with effect from 20.04.1999 and to grant further promotion as Inspector notionally as directed by this Court in WP.Nos.15653 to 15658 of 2009 dated 07.06.2013, and to pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.



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

G.K.ILANTHIRAIYAN, J.

lok

To

1.The Secretary to Government,

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