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W.P.No.12812 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.12812 of 2020

C.Mathiyalagan

... Petitioner

Vs.

1.The Additional Chief Secretary to the Government,
Home and Prohibition and Excise Department,
Secretariat, Chennai 600 009.

2.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 29.04.2019 and promote the petitioner to the rank of Deputy Superintendent of Police retrospectively from the year 2004 and to the rank of Additional Superintendent of Police (notionally) on par with his batch mates in the year 2015 along with all monetary benefits payable to the petitioner.

For Petitioner : Mr.Naveen Kumar Murthi

For Respondents : Mr.Yogesh Kannadasan, SGP



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ORDER

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This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the respondents to consider the representation of the petitioner dated 29.04.2019 and promote the petitioner to the rank of Deputy Superintendent of Police retrospectively from the year 2004 and to the rank of Additional Superintendent of Police (notionally) on par with his batch mates in the year 2015 along with all monetary benefits payable to the petitioner.

2. Heard Mr.Naveen Kumar Murthi, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondents.

3. The petitioner was initially appointed as Sub Inspector of Police on 28.09.1987 in the Tamil Nadu Special Police Battalion (TSP). The petitioner has been issued with the charge memo under Rule 3(b) of the Tamil Nadu Police Subordinate Services (D&A) Rules and a criminal case and disciplinary proceedings have been initiated against him. Later in the criminal proceedings the petitioner got acquitted and the



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disciplinary proceedings also closed as charges not proved. Thereafter, the Director General of Police reopened the disciplinary proceedings and passed an order of punishment. Later the said order of punishment was quashed by the order of this Court. Thereafter, the petitioner was given with a promotion to the post of Inspector and subsequently, to the post of deputy Superintendent of Police in the year 2015.

4. The grievance of the petitioner is that he was given one stage of accelerated promotion vide G.O.Ms.No.1346, and hence he ought to have been promoted to the post of Deputy Superintendent of Police notionally from the year 2004. The petitioner has given a detailed representation in this regard on 29.04.2019 to the respondents. But it did not evoke any response from the respondents. Hence, the petitioner is before this Court.

5. The learned Special Government Pleader appearing for the respondents submitted that the petitioner's representation will be considered by the respondents within the time frame as may be fixed by this Court.



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6. In view of the above circumstances, this Writ Petition is disposed and the respondents are directed to consider the representation of the petitioner dated 29.04.2019 and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

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To

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R.N.MANJULA, J.

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