



W.P.No.4579 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2024

CORAM

THE HONOURABLE MR. JUSTICE G.ARUL MURUGAN

W.P.No.4579 of 2014

R.Raju

...Petitioner

Vs.

1.The Secretary to Government,
Home (Police-3) Department,
Fort St. George,
Chennai-9.

2.The Director General of Police, (Law & Order),
Mylapore,
Chennai-4.

3.The Commissioner of Police,
Vepery, Chennai

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records in pursuant to the impugned order issued by the 1st respondent in G.O.(D).No.843, Home (Police-3) Department, dated 17.10.2013, quash the same and consequently, direct the respondents to include the name of the petitioner in the C List of the year 1991-1992 and promote him on par with K.Srinivasan in G.O.(D).No. 843, Home (Police-3) Department, dated 17.10.2013 and S.Sorimuthu in G.O.Ms.No.82, Home (Police-3) Department, dated 3.2.2011 and pay all the monetary and pensionary benefits in the revised scale of pay with arrears.



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For Petitioner : Mr.P.Prem Narayan

For Respondents : Mrs.V.Yamuna Devi,
Special Government Pleader

ORDER

This Writ Petition is filed challenging the order of the 1st respondent, whereby relaxation of the Rules in granting exemption to qualify the Range Promotion test, was rejected.

2. When the matter is taken up for hearing, the learned counsel appearing for the petitioner fairly submitted that earlier, for consideration of the candidates to be promoted to the post of Sub Inspector of Police, they have to qualify the Range Promotion Board. Hence, one Megakumar had approached the Tribunal seeking relaxation of the Rule, which was dismissed by the Tribunal and the order of the Tribunal was challenged before this Court which also came to be dismissed. However, the Government issued G.O.Ms.No.349, Home (Prison 3) Department, dated 14.03.2008, granting relaxation of the rule to the benefits of the candidates to be promoted as Sub Inspector of Police without clearing the Range Promotion Board.



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3.Further, several candidates have also filed Writ Petitions claiming similar benefits as to that of Megakumar. The Government had also issued G.O.Ms.No.82, Home (Police 3) Department, dated 03.02.2011, granting such benefits of relaxation. Subsequently, the directly recruited Inspector of Police challenged these proceedings of the Government granting relaxation of the rule, in respect of the candidates for promotion from appearing in the Range Promotion test. All those Writ Petitions were allowed and all the orders granting relaxation came to be ultimately quashed.

4.The learned counsel for the petitioner submitted that since the present Writ Petition has also been filed only seeking the similar benefit which has been granted in respect of the candidates, pursuant to the relaxations granted to Mr.Mega Kumar, in view of the orders passed in those Writ petitions, the present relief sought for by the petitioner cannot be granted. Further, the petitioner also retired from service and therefore, no further orders are required in this Writ Petition.



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5. In view of the same, this Writ Petition is dismissed. No costs.

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Index : Yes/No
Speaking order : Yes/No
Neutral citation : Yes/No
mps

To

1. The Secretary to Government,
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Chennai-9.

2. The Director General of Police, (Law & Order),
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G. ARUL MURUGAN, J.

mps

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