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W.P.No.27702 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2024

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THE HONOURABLE Mrs. JUSTICE R.KALAIMATHI

W.P.No.27702 of 2014

and M.P.No.1 of 2014

D. Ramadoss

...Petitioner

vs.

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

2. The Additional Commissioner of Police – Traffic,
Kilpauk, Chennai – 600 010.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to consider the petitioner for promotion to the post of Inspector of Police in the promotion process pursuant to the order R.C.No.037446/NGB V (2)'C' List/2014 dated 24.06.2014 issued by the 1st respondent and promote the petitioner with all attendant service benefits.

For Petitioner : Mr.C.K.Chandrasekhar

For Respondents : Mrs.C. Sangamithirai

Additional Government Pleader



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ORDER

This writ petition is filed for issuance of direction to the respondents to consider the petitioner for promotion to the post of Inspector of Police in the promotion process pursuant to the order R.C.No.087446/NGB V (2) 'C' List/2014 dated 24.06.2014 issued by the 1st respondent and promote the petitioner with all attendant service benefits.

2. The petitioner who joined serve as Police Constable in the year 1984. In the year 1991, he was promoted as Head Constable based on merit cum seniority. The next avenue of promotion is to the post of Sub Inspector of Police. On 11.05.2006, he was promoted as Sub Inspector and in the year 2007, his probation as Sub Inspector was declared.

3. The petitioner further submitted that the Head Constables who were denied promotion filed writ petition in W.P.31221 of 2005 and it was allowed on 02.08.2010, wherein direction was given to promote them on par with the juniors. The above said order of this Court was misread and the petitioner was reverted by an order dated 29.10.2010 as Head Constable. Subsequently, he was promoted temporarily to the post of Sub Inspector of



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Police by an order dated 21.03.2013 subsequent to the order passed by this Court in W.P.No.25672 of 2010 dated 19.11.2010. He would further submit that as he had served for more than eight years in the higher post and eligible to be considered for the post of Inspector. As his representation dated 06.12.2013 was not disposed of, he filed another writ petition in W.P.No.34831 of 2013 for issuance of writ of mandamus and the same is pending. Subsequently, he was promoted and placed before the Police men, who filed the above said writ. Hence, his case should be considered as the list for the promotion of Inspector of Police is being prepared.

4. Heard Mrs.C.Sangamithirai, learned Additional Government Pleader appearing for the respondents.

5. It appears that the petitioner had given representation on 25.08.2014.

6. In view of the above facts and circumstances, this writ petition is allowed with directions:

i. The petitioner may present afresh representation to the



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respondents within one month from the date of receipt of a copy of this order.

- ii. And on such representation, the respondents shall consider his representation and pass orders on merits, preferably within a period of eight [8] weeks from the date of receipt of the petitioner's representation. There is no order as to costs. Connected miscellaneous petition stands closed.

12.04.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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R.KALAIMATHI, J.

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To

1. The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai – 600 004.
2. The Additional Commissioner of Police – Traffic,
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