



WEB COPY

W.P.No.2570 of
and W.M.P.No.2908 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.2570 of 2021
and W.M.P.No.2908 of 2021

Dr.S.Vellaidurai,
Additional Deputy Commissioner of Police,
City Crime Record Bureau,
Tirunelveli City.

...

Petitioner

versus

1.The Principal Secretary to Government,
Home (Police (II) Department,
Fort St. George,
Chennai - 600009.

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

3.The Secretary,
Tamil Nadu Public Service Commission,
Chennai.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to promote the petitioner as Superintendent of Police (Non-cadre) and grant seniority to the petitioner in the cadre of Deputy Superintendent of Police with effect from 18.02.2005 in furtherance of G.O.(Ms.)No.1252 Home (Pol.VIII) Department dated 29.10.2004 based on the gallantry awards granted by His Excellency the President of India for the courageous act of the petitioner.



WEB COPY

W.P.No.2570 of
and W.M.P.No.2908 of



For Petitioner : Mr.S.Sivakumar
For Respondent Nos.1 & 2 : Mr.T.Chezhiyan
Additional Government Pleader
For Respondent No.3 : No Appearance

ORDER

The petitioner has filed this petition seeking a writ of mandamus, directing the respondents to promote the petitioner as Superintendent of Police (non-cadre) and to grant seniority to him in the cadre of Deputy Superintendent of Police.

2. Heard Mr.S.Sivakumar, learned counsel for the petitioner and Mr.T.Chezhiyan, learned Additional Government Pleader for the respondents 1 and 2 and perused the materials available on record.

3. There is no representation for the third respondent either in-person or through his counsel.

4. Mr.S.Sivakumar, learned counsel for the petitioner submitted that the petitioner is entitled to get promotion by virtue of the Government



WEB COPY

Order passed in G.O.(Ms.)No.1252 Home (Pol.VIII) Department dated 29.10.2004 and he has also given a representation to that effect but it has not been considered so far.

5. It is seen that the Government Order has been issued in G.O.(Ms.)No.1252 Home (Pol.VIII) Department dated 29.10.2004 to award accelerated promotion to those personnels, who were instrumental in killing the notorious forest brigand Veerappan and his gang. Even though the petitioner has referred the above Government Order in his petition, he has referred only G.O.(Ms.)No.1346 Home (Pol.VIII) Department dated 06.12.2004 during his submission before the Court. In the said Government Order, orders for accelerated promotion to the police personnels for their earlier operation has been given. The petitioner's case falls within the purview of G.O.(Ms.)No.1252 Home (Pol.VIII) Department dated 29.10.2004.

6. Hence, the respondents are directed to consider the representation of the petitioner dated 01.07.2019 and pass appropriate orders on its own merits and in accordance with law, within a period of six (6)



weeks from the date of receipt of a copy of this order and this Writ Petition is **disposed** accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

22.03.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri



To

WEB COPY

- 1.The Principal Secretary to Government,
Home (Police (II) Department,
Fort St. George,
Chennai - 600009.
- 2.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.
- 3.The Secretary,
Tamil Nadu Public Service Commission,
Chennai.



WEB COPY

W.P.No.2570 of 2021
and W.M.P.No.2908 of 2021



R.N.MANJULA, J.

sri

W.P.No.2570 of 2021
and W.M.P.No.2908 of 2021

22.03.2024