



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.29471 of 2024

P.Kathiravan

... Petitioner

Vs.

1.The Government of Tamil Nadu
Rep. by its Secretary,
Home Department,
Fort St. George,
Chennai – 600 009.

2.The Director General of Police,
Mylapore,
Chennai – 600 004.

3.The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore – 18.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to pass orders in pursuance of the communications in C. No 6390 / A1 / 2020 dated 21.09.2021 and in C. No 6390 / A1 / 2020 dated 07.06.2023 of the 3rd respondent to revise



the seniority of the petitioner in the rank of Sub Inspector of Police with effect from the year 2000 and grant deemed promotion and monetary benefits and other benefits.

For Petitioner : Mr.P.Muthukrishnan

For Respondents : Mr.P.Balathandayutham
Special Government Pleader
for R1 to R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 2nd respondent to pass orders based on the communication made by the 3rd respondent dated 21.09.2021 and 07.06.2023 and to revise the seniority of the petitioner in the rank of Sub Inspector of Police along with all attendant benefits, within a time frame fixed by this Court.

2.Heard Mr.P.Muthukrishnan, learned counsel appearing on behalf of the petitioner and Mr.P.Balathandayutham, learned Special Government Pleader appearing on behalf of the respondents.



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3.The case of the petitioner is that he joined as a Grade II Constable in the year 1988. Thereafter, he was promoted as Head Constable in the year 1995 and he was further promoted as a Sub Inspector of Police on 05.08.2004. He was promoted as an Inspector of Police in the year 2012 and ultimately, he retired from service on 31.01.2023.

4.The grievance of the petitioner is that there was a flaw in the fixation of his seniority and he made representation in this regard to the effect that his juniors have been placed above him when the seniority was fixed for the post of Sub Inspector. The same was considered and the 3rd respondent through communication dated 21.09.2021 and 07.06.2023, informed the 2nd respondent for passing suitable orders to revise the seniority of the petitioner in the rank of Sub Inspector of Police. The petitioner also sent a representation thereafter on 16.08.2024 and the same did not evoke any response. It is under these circumstances, the present writ petition has been filed before this Court.

5.Taking into consideration the facts and circumstances of the case and the materials that have been placed before this Court and the communication



that has already been made by the 3rd respondent to the 2nd respondent, there shall be a direction to the petitioner to make a fresh representation to the 1st and 2nd respondents along with all the relevant documents and also a copy of this order. On receipt of the same, the 2nd respondent shall pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of the fresh representation from the petitioner. A copy of the representation shall also be marked to the 3rd respondent.

6.This writ petition is disposed of with the above directions. No Costs.

04.10.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1.The Secretary,
Government of Tamil Nadu
Home Department,
Fort St. George,
Chennai – 600 009.



2. The Director General of Police,
Mylapore,
Chennai – 600 004.

3. The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore – 18.



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N. ANAND VENKATESH, J.

SSR

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