



WP(MD). No.11073 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 03.06.2024

CORAM

THE HON'BLE Ms.JUSTICE R.N.MANJULA

WP(MD). No.11073 of 2024
and
WMP(MD). Nos.9865 and 6966 of 2024

B.Sivakumar

... Petitioner

Vs

1. The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.

2. The Director General of Police,
Post Box No. 601,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai.

3. The Deputy Inspector General Of Police,
Madurai Range,
Madurai.

4. The Chairman,
Madurai Range Promotion Board/superintendent of Police,
Madurai District.

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus calling for

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the records pertaining to the impugned order made in G.O.(Ms).No.208 Home (Police-2) Department dated 12.03.2024 issued by the 1st respondent and consequential impugned order made in Police Note No.4 dated 15.03.2024 issued by the 1st respondent and quash the same and consequently direct the respondents to include the writ petitioner in the panel for the year 2023-24 and thereby promote him in the cadre of Deputy Superintendent of Police W.E.F 15.03.2024 with all attendant benefits.

For Petitioner : M/s.P.R.Prithviraj

For Respondent : Mr.M.Lingadurai for R1 & R2
Special Government Pleader

ORDER

Heard Mr.P.R.Prithviraj, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, for the respondents.

2.This writ petition has been filed challenging the order of the 1st respondent dated 15.03.2024 and consequently direct the respondents to include the writ petitioner in the panel for the year 2023-24 and thereby promote him in the cadre of Deputy Superintendent of Police W.E.F 15.03.2024 with all attendant benefits.



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3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner is aggrieved by the non inclusion of his name in the promotional order dated 12.03.2024. There is no quarrel with regard to the fact that the petitioner's name found place in the promotional panel 2023-24 pursuant to the particulars furnished by the 4th respondent. However, his name has been withheld through the impugned order. Hence, the petitioner has given a representation to the respondents 1 and 2 on 16.03.2024, which is pending consideration.

5. Since the persons, who have already been promoted pursuant to the impugned order, are not arrayed as party respondents in this writ petition, the impugned order cannot be set aside without hearing them. Therefore, the petitioner is at liberty to reserve his right to re-agitate the impugned order along with the orders, if any, to be passed by the first respondent in the pending representation dated 16.03.2024. The first respondent is directed to consider the representation of the petitioner



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dated 16.03.2024 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

6. With this observation and direction, the writ petition stands disposed of. No costs. Consequently connected Miscellaneous petitions are closed.

03.06.2024

NCC : Yes/No

Index : Yes/No

RR

To

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Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.

2. The Director General of Police,
Post Box No. 601,
Dr.Radhakrishnan Salai, Mylapore,Chennai.

3. The Deputy Inspector General Of Police,
Madurai Range,Madurai.

4. The Chairman,
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Madurai District.

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R.N.MANJULA, J.

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