



W.P.(MD)No.27830 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27830 of 2024

S.Udhayakumar

... Petitioner

-VS-

The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to forthwith include the petitioner's name (S.Udhayakumar, SSI/HC 1413) in the panel of Pre-Promotional Training Course by placing him in the appropriate seniority and grant promotion within a stipulated period, by considering his representation dated 06.11.2024.

For Petitioner

: Mr.T.Aswin Rajasimman
for
Mr.M.Jegadeesh Pandian

For Respondents

: Mr.A.Baskaran
Additional Government Pleader



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ORDER

The instant writ petition has been filed by a Special Sub-Inspector of Police working in the Ramanathapuram Town Police Station, seeking a mandamus for inclusion of his name in the Pre-Promotional Training Course for being promoted as Sub-Inspector of Police.

2. A perusal of the records reveal that the petitioner was initially appointed as a Grade.II, Constable on 09.06.1993. After completing ten years of service, the petitioner was upgraded as Grade.I Constable on 08.06.2003. The petitioner has suffered an order of punishment of postponement of increment for two years with cumulative effect. Against which he filed an appeal and after enquiry the authorities have modified the punishment as "Postponement of increment for one year without cumulative effect" by way of order dated 19.01.2021. The period of punishment between 01.04.2002 to 31.03.2003 was completed on 31.03.2003. The petitioner herein was promoted as Head Constable on 09.06.2009 and further he was upgraded as a Special Sub-Inspector of Police on 01.07.2019.



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3. The grievance of the petitioner is that the respondents herein has issued a Radio Message to Deputy Superintendent of Police, Ramanathapuram, calling upon 14 Special Sub Inspector of Police to attend nine weeks Pre-Promotional Training Course, so that they could be considered for promotion to the post of Sub-Inspector of Police for the year 2024. In the said list, name of the petitioner was not included.

4. According to the learned Counsel appearing for the writ petitioner, the 14 included candidates were appointed on the same date on which the petitioner was appointed. However, without assigning any reasons whatsoever his name has been excluded. The petitioner has given a representation on 06.11.2024 to the respondent herein for inclusion of his name for the Pre-Promotional Training Course and thereafter the present writ petition has been filed.

5. The learned Additional Government Pleader appearing for the respondent had contended that the petitioner was promoted as Head Constable on 09.06.2009 and he was upgrade as Special Sub-Inspector of Police on 01.07.2019. However, the 14 candidates who have now been



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referred for Pre-Promotional Training Course were promoted as Head Constables and upgraded as Special Sub-Inspector of Police ahead of the writ petitioner. Therefore, the petitioner cannot have any grievance of the Pre-Promotional Training Course.

6. Heard both sides and perused the records.

7. Considering the above said facts, the respondent herein is directed to consider the representation of the writ petitioner dated 06.11.2024, and pass order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above said observations, this writ petition is disposed of.

No costs.

20.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

The Superintendent of Police,
Ramanathapuram District,
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R.VIJAYAKUMAR,J.

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