



W.P.(MD).No.28540 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28540 of 2024

K.Shenbagalingam

... Petitioner

-VS-

1.The Additional Chief Secretary to Government,
Home (Police VI) Department,
Secretariat,
Fort. St. George,
Chennai-600 009.

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

3. The Deputy Inspector General of Police,
Tirunelveli Range,
No.4, ST.Thomas Road,
Maharaja Nagar,
Palayamkottai,
Tirunelveli-627 011.

4. The Superintendent of Police,
Kanyakumari district,
No.29, Asarimar South Second Street,
Manimedai Junction, Meenakshipuram,
Ozhugunacherry, Vadiveeswaram Village,
Nagercoil-629 001.
Kanyakumari District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 3 and 4 herein to consider the claim of the petitioner for notional promotion to the post of Police Constable Grade-I, Head Constable and Special Sub Inspector of Police with effect from the date on which his juniors came to be promoted in the light of the order dated 21.09.2020 made in W.P.No.5933 of 2013 with all consequential service and monetary benefits the pay and allowances, Revised Retiral Benefits, Revised Regular Pension together with all arrears as prayed in the representation dated 11.05.2021 by passing orders in the Representation.

For Petitioner : Mr.K.Rajkumar

For Respondents : Mr.D.Sasikumar
Additional Government Pleader

ORDER

The instant writ petition has been filed by a retired Head Constable seeking mandamus directing the respondents 3 and 4 to consider the request of the petitioner for notional promotion to the post of Police Constable Grade-I with effect from the date on which his juniors are said to be promoted in the light of the order made in W.P.No.5933 of 2013 dated 21.09.2020, with consequential benefits.



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2. According to the learned Counsel appearing for the writ petitioner, the petitioner has entered into service as Police Constable Grade.II on 05.02.1977, and subsequently he was promoted as Police Constable Grade.I on 09.08.1994. Thereafter, the petitioner was promoted as Head Constable on 22.02.2000. In view of the pendency of the disciplinary proceedings, the petitioner's name was over looked and he was not promoted as Special Sub Inspector of Police. The petitioner had attained superannuation on 30.09.2010. The petitioner herein has submitted a representation on 11.05.2021, seeking notional promotion on par with his immediate juniors, on the expiry of punishment on 30.12.2009. However, no orders have been passed by the authorities. Hence, the present writ petition has been filed.

3. Considering the above said facts, this Court directs the third respondent herein to consider the representation of the petitioner dated 11.05.2021, and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.



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4. With the above said observations, this writ petition stands disposed

of. No costs.

28.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
gvn

To:

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R.VIJAYAKUMAR,J.

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