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W.P.No.457 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2025

CORAM:

**THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN**

**W.P.No.457 of 2025**

C.Senthil Kumar

...Petitioner

Vs

1. The State of Tamil Nadu,  
Represented by its Principal Secretary to Government,  
Department of Home, Prohibition & Excise,  
Secretariat, Fort ST. George, Chennai – 600 009.

2. The Director General of Police/ HoPF,  
Tamil Nadu,  
Dr. Radhakrishnan Salai,  
Mylapore, Chennai – 600 004.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to consider petitioner's representation dated 18.08.2023 and 24.10.2024 and fix his seniority in the appropriate place as per the actual selected list of graduation number 461 placed along with the petitioner's immediate senior candidates who have secured more marks who were recruited for the year 1994-1995 and appointed on 01.03.1996 and in the cadre of



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Deputy Superintendent of Police and to include the petitioner name in the approved list for promotion to the post of Additional Superintendent of Police dated 27.12.2024 on par with petitioner's junior Mr.Kalaiyarasan with consequential benefits and pass orders.

For Petitioner : Mr. P. Kumaravel

For Respondent : Mr. Yogesh Kannadasan  
Special Government Pleader

### **ORDER**

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Mandamus directing the Respondents to consider petitioner's representation dated 18.08.2023 and 24.10.2024 and fix his seniority in the appropriate place as per the actual selected list of graduation number 461 placed along with the petitioner's immediate senior candidates who have secured more marks who were recruited for the year 1994-1995 and appointed on 01.03.1996 and in the cadre of Deputy Superintendent of Police and to include the petitioner name in the approved list for promotion to the post



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of Additional Superintendent of Police dated 27.12.2024 on par with petitioner's junior Mr.Kalaiyaran with consequential benefits and pass orders.

3. The facts of the case is that the petitioner who is working as S.I in the Sub Inspector of Police. The sum and substance of the case is that he was actually recruited in the year 1994-1995 and due to a criminal case pending against him he has joined the Department belatedly and he was he was sent for training on 19.04.1999 along with the candidates who were selected under direct recruitment for the year 1997-1998. The grievance of the petitioner is that his actual selection grade number is 461 whereas it was taken as 661 and the same was also rectified by the proceedings of the second respondent vide order dated R.C.No.018553/Rect.1/04 dated 11.05.2005. It is pertinent to note that the said error happened only due to the reason that petitioner's name should be placed in the appropriate place of Sub Inspector's who were recruited in the year 1994-1995 whereas, his name was found in the seniority list of SI in the year 1994-1995 and appointed on 02.06.1997. Hence the petitioner has given a representation to the respondents on various dates and finally on 24.10.2024. However, the same was not



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considered till date. Hence, this petition.

4. The learned counsel for the petitioner submitted that the first respondent had approved a list for promotion to the cadre of Additional Superintendent of Police and one person by name Mr.Kalaiarasan, who is junior to the petitioner was promoted. Hence, prays this Court to issue a direction to the respondents to consider petitioner's representation dated 27.12.2024 and pass orders.

5. The learned Special Government Pleader appearing for the respondents submitted that they will consider the case of the petitioner on merits and in accordance with law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation 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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7. With the above observations this writ petition stands disposed of. No order as to costs.

**08.01.2025**

Index: Yes/No

Speaking order/Non-speaking order

smn

To.

1. The Principal Secretary to Government,  
Department of Home, Prohibition & Excise,  
Secretariat, Fort ST. George, Chennai – 600 009.

2. The Director General of Police/ HoPF,  
Tamil Nadu,  
Dr. Radhakrishnan Salai,  
Mylapore, Chennai – 600 004.



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**V.BHAVANI SUBBAROYAN,J.**

smn

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