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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

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THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.620 of 2025

and

W.M.P.Nos.763 & 764 of 2025

K.B.Shibu

.. Petitioner

Vs.

1.The Additional Director General of Police,
Armed Police,
Kilpauk,
Chennai – 600 010.

2.The Deputy Inspector General of Police,
Armed Police,
Chennai – 600 010.

3.The Commandant,
Tamil Nadu Special Police,
IX-Battalion,
Manimuthar,
Tirunelveli District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and 2nd respondents to include the petitioners name in the 'C' list of Havildar (Genl.) Fit for promotion as Sub-Inspector of Police (Genl.) for the year 2024-2025 issued in Rc.No.B2/7800(Genl.)/2024 dated 30.12.2024 on the basis of date of



appointment and marks secured in the Police Recruitment School and in the light of the proceeding of 1st respondent issued in Na.Ka.No.Pa.A.11(1)/30057/2020 dated 12.05.2021 in view of my representation dated 06.01.2025 within the time limit that may be stipulated by this Court.

For Petitioner .. Mr.G.Thalamuthurasu

For Respondents .. Mr.M.Shajahan, SGP

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction against the 1st and 2nd respondents to include the name of the petitioner in 'C' list of Havildar (Genl.) and thereby hold him as being eligible to be considered for promotion as Sub-Inspector (General) for the year 2024 – 2025. The petitioner claims that he should be placed in the 'C' list of Havildar (Genl.), on the basis of his date of appointment and on the basis of the marks secured by him in the Police Recruitment School. The petitioner further placed reliance on the proceedings of the 1st respondent dated 12.05.2021 in Na.Ka.No.Pa.A.11(1)/30057/2020. The petitioner had given a representation on 06.01.2025 in this regard.



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2. In the affidavit filed in support of the writ petition, the petitioner had stated that he had joined as Grade – II Police Constable in the respondent department on 01.12.2003 and is now discharging his work as Havildar in the IX Battalion under the 3rd respondent. The petitioner claims that combined seniority list of Havildar (Genl.) fit for promotion of Sub-Inspector (General) for the year 2021 – 2022 had been published by the Commandant of Tamil Nadu Special Police – III Battalion, who was the Chairman in Armed Police Range Promotion Board. The petitioner's name was not found, but his juniors were placed in the list of Havildar (Genl.) who were considered fit for promotion as Sub-Inspector (General). Thereafter, a further list for promotion had been prepared for the year 2024-2025 by proceedings dated 05.03.2024. It had been contended that the petitioner raised several grievance owing to his juniors being listed and placed above him in the seniority list. The petitioner claims that the seniority should be determined on the basis of the date of appointment and on the marks obtained in the Police Recruitment School. It is contended that if they were considered as the benchmark, the petitioner would be very senior.



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3.The learned counsel for the petitioner further placed reliance on the circular issued by the 1st respondent / Additional Director General of Police, Armed Police Chennai, dated 12.05.2021 in Na.Ka.No.Pa.A.11(1)/30057/2020.

4.The issue of seniority will have to be resolved before the promotion panel is drawn. This is all the more important, since if objections were received or even if representations are made, then the same should be addressed, in order that the police force has confidence that the services rendered by them would be duly and appropriately considered while drawing the panel for promotion.

5.The petitioner is now functioning as Havildar. He had given representation. He seeks consideration to be listed in 'C' list of Havildar (Genl.) from which the promotion to the post of Sub-Inspector (General) would be drawn for the year 2024 – 2025.

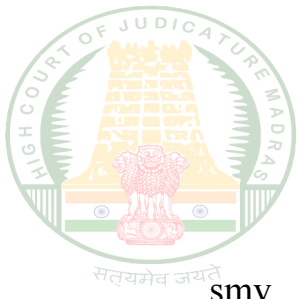


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6. In view of these reasonings, a direction is given that the 1st respondent should examine the representation given by the petitioner dated 06.01.2025 and pass appropriate orders on the said representation before the panel for promotion is drawn for the year 2024 – 2025 for the post of Sub-Inspector (General). This exercise must be completed and thereafter, the promotional panel may be drawn. The representation may be examined on the basis of the service records of the petitioner, by also giving due consideration to the date of his initial appointment and the marks secured by him at the Police Recruitment School. The proceedings of the 1st respondent dated 12.05.2021 in Na.Ka.No.Pa.A.11(1)/30057/2020 may also be considered while examining the representation given by the petitioner.

7. The petitioner may also forward a copy of the Division Bench order for due consideration of the 1st respondent and the 1st respondent may examine it along with the representation and the directions aforementioned.

8. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.



13.03.2025

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Index: Yes/No

Internet: Yes/No

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C.V.KARTHIKEYAN,J.

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