



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.03.2025

CORAM

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

W.P.No.4112 of 2025

and

W.M.P.Nos.4616 & 4617 of 2025

Madasamy

.. Petitioner

Vs.

1.The Chief Home Secretary,
Chief Secretariat,
Fort St. George,
Chennai – 600 009.

2.The Commandant,
Office of the Commandant,
TSP XII Battalion,
Manimuthar.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to “Postponement of increment for one year without cumulative” bearing order C.A A3/PR.25/2012 dated 16.07.2021 passed by the 2nd respondent and to quash the same and consequently to direct the 1st respondent to consider the representation dated 08.04.2022.

For Petitioner .. Mr.M.Madhuprakash

For Respondents .. Mr.S.Yashwanth, AGP.



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ORDER

This Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking records relating to an order dated 16.07.2021 in C.No.A3/PR.25/2012 passed by the 2nd respondent, Commandant, Tamil Nadu Special Police, XII Battalion, Manimuthar. By the said communication, the petitioner who is Grade-II, Police Constable in 'B' Company, 7th Platoon, Armed Reserve – II, Greater Chennai Police (formerly Police Constable 1901, Tamil Nadu Special Police XII Battalion, Manimuthar) had been dealt with charge under Rule 3(b) of the Tamil Nadu Police Subordinate Service (Discipline & Appeal) Rules, 1955, in Punishment Roll No.25/2012 and was awarded with punishment of 'postponement of next increment for two years with cumulative effect'. This particular punishment was modified into postponement of increment for one year without cumulative effect by an order of the Government in G.O.(3D) No.36 Home (Police IX) Department) dated 09.07.2021.

2.The order impugned is only a communication about the Government Order. The Government Order namely, G.O.(3D) No.36 Home



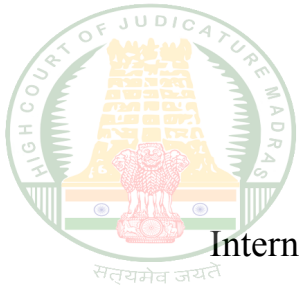
(Police IX) Department) dated 09.07.2021 gives the reasons why the punishment had been modified, as a matter of fact, to the benefit of the petitioner, from postponement of next increment for two years with cumulative effect to postponement of increment for one year without cumulative effect.

3.It is also contended that subsequent to the passing of the Government Order, the petitioner's increment had also been paid by an order dated 21.09.2021 in C.No.A3/PR.25/2012 / B.O.600/2021.

4.The petitioner is granted liberty to challenge G.O.(3D) No.36 Home (Police IX) Department) dated 09.07.2021, if he is so advised. But however, the impugned order is only a communication and therefore, the Writ Petition would not lie. Accordingly, the same stands dismissed giving such liberty to the petitioner. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

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Index:Yes/No



Internet: Yes/No

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To

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Chennai – 600 009.
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C.V.KARTHIKEYAN,J.

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