



*W.P.Nos.11651 of 2014 & 17216 of 2007*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2025

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

**W.P.Nos.11651 of 2014 & 17216 of 2007**

**and**

**M.P.No.1 & 2 of 2014**

N.Sathasivam

... Petitioner  
in both WPs

vs.

1. The Government of Tamil Nadu  
Rep. By its Principal Secretary  
Home (Police-5) Department  
Secretariat, Chennai-600 009.
2. The Director General of Police  
Office of Inspector General of Police  
Dr.Radhakrishnan Salai  
Mylapore, Chennai-600 004.
3. The Commissioner of Police  
Greater Chennai Police  
EVR Salai, Chennai-600 220.

... Respondents

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in W.P.No.11651/2014

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1. The Secretary to Government  
Home Department  
Fort St.George,  
Chennai-600 009.
2. The Commissioner of Police  
Egmore, Chennai-600 008.
3. Karuppasamy (HC 6423)  
Office of the Commissioner of Police  
Egmore, Chennai-600 008.
4. Nagarajn S.I.No.7306  
Office of the Commissioner of Police  
Egmore, Chennai-600 008.

... Respondents

in W.P.No.17216 of 2007

Writ Petition No.11651 of 2014 filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to the letter No.37103/Pol.V/2013-3 dated 24.10.2013 issued by the 1<sup>st</sup> respondent and consequential order bearing Ref.No.Rc.No.Estt II (1)/645/56609/2013 dated 18.11.2013 in rejecting the petitioner's request for accelerated promotion as given to his juniors namely, K.Nagarajan (PC 7306), Karuppasamy (PC 6423), Dharmalingam (PC

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7912), Anbalagan (PC 7374) and Venkatesan (PC 3848) in various posts and to quash the same as being illegal, arbitrary and discriminatory and to consequentially, direct the respondents to promote him as Inspector of Police from the date when the above juniors were promoted with all service benefits including terminal benefits within a time frame fixed by this Court.

Writ Petition No.17216 of 2007 filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records of the 1<sup>st</sup> respondent in Letter No.(D).1218 dated 08.11.2002 and quash the same and consequently, direct the respondents to consider the accelerated promotion of the applicant under Rule 15-A of Tamil Nadu Police Subordinate Services Rules in the same manner like his juniors Mr.Karuppusamy Grade I Constable, with all consequential benefits and promote the applicant as Sub-Inspector of Police with all consequential benefits.

For Petitioner in both WPs : Mr.V.Govardhanan  
M/s.Row and Reddy

For Respondents in both WPs : Mr.V.Nanmaran  
Additional Government Pleader

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### **COMMON ORDER**



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The petitioner, who retired from service as a Sub-Inspector of Police in the year 2013, has filed these writ petitions assailing the letter dated 08.11.2002 issued by the first respondent in W.P. No. 17216 of 2007, the letter dated 24.10.2013 issued by the first respondent in W.P. No. 11651 of 2014, and the endorsement dated 18.11.2013 issued by the third respondent in W.P. No. 11651 of 2014. By the impugned letters and endorsement, the petitioner's claim for accelerated promotion on the basis of professional achievements and sports achievements came to be rejected.

2. The petitioner claims that while he was working as a Police Constable, his junior, one Nagarajan, was promoted as Grade-I Police Constable with effect from 21.06.1989, as Head Constable on 19.04.1993, as Sub-Inspector of Police on 17.05.1999, and as Inspector on 22.06.2010, whereas the petitioner was promoted as Grade-I Police Constable only on 01.12.1994, as Head Constable on 01.12.1999, and as Sub-Inspector of



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Police on 10.09.2012. Aggrieved by the promotion granted to his junior Nagarajan as Grade-I Police Constable, the petitioner approached the Tamil Nadu Administrative Tribunal in O.A. No. 588 of 2000. The Tribunal, vide order dated 01.12.2000, directed the respondents to consider the petitioner's claim.

3. The claim of the petitioner was rejected vide order dated 23.09.2012 on the ground that a punishment roll was pending against the petitioner. The said rejection was challenged by the petitioner before this Court in W.P. No. 9262 of 2013. This Court, vide order dated 09.04.2013, directed the respondents to reconsider the petitioner's representation dated 20.08.2012 on merits, since the punishment roll had been dropped in the year 2011. Pursuant to the said order, the petitioner's representation dated 20.08.2012 was reconsidered, resulting in the issuance of the impugned letter dated 24.10.2013 and endorsement dated 18.11.2013.



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4. Mr. V. Govardhanan, learned counsel appearing for the petitioner, submitted that the petitioner's juniors were granted promotion by invoking Rule 15-A of the Special Rules for the Tamil Nadu Police Subordinate Service (hereinafter referred to as "the said Rules" for the sake of brevity), in appreciation of their performance in crime detection and in the field of sports. According to him, although the petitioner satisfied all the requirements prescribed under Rule 15-A of the said Rules as well as G.O.Ms. No. 468, Home (Pol.V) Department, dated 19.03.1996, the respondents have arbitrarily and discriminatorily rejected the petitioner's claim, which warrants interference by this Court.

5. Per contra, Mr. V. Namaran, learned State Counsel, submitted that the petitioner did not satisfy the eligibility criteria prescribed under Rule 15-A of the said Rules and that, as on the date of the petitioner's claim, a punishment roll was pending against him. Therefore, his claim could not be



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considered on par with that of his juniors. He further submitted that in the absence of any statutory provision enabling the grant of accelerated promotion on par with his juniors, the impugned letters and endorsement issued by the respondents do not warrant interference and the writ petitions are liable to be dismissed.

6. The submissions of the learned counsel on either side and the materials placed on record have been duly considered.

7. A perusal of the order granting promotion to Nagarajan indicates that the promotion was given in appreciation of his performance in the field of sports during the preceding six years and that such promotion was to the post of Grade-I Police Constable. The said order also states that the promotion was granted by invoking Rule 15-A of the said Rules. Rule 15-A prescribes certain conditions and qualifications for granting temporary promotion in special units. However, achievements in the field of sports do



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not form part of the conditions stipulated under Rule 15-A of the said Rules.

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The petitioner has failed to demonstrate that he satisfied the conditions enumerated under Rule 15-A so as to claim temporary promotion to the post of Grade-I Police Constable. Even assuming, arguendo, that the promotion granted to the petitioner's junior Nagarajan was contrary to Rule 15-A, the petitioner cannot seek the same benefit unless he independently satisfies the eligibility criteria prescribed under the said Rule. An illegal benefit extended to one employee cannot be made a basis to extend a similar benefit to another, as it would amount to perpetuating an illegality.

8. The petitioner also seeks promotion under G.O.Ms. No. 468 dated 19.03.1996, which provides for accelerated promotion. One of the conditions prescribed therein is that a candidate must have successfully performed in the All-India Police Duty Meet by securing first rank in Scientific Aids to Investigation, Computers, Motor Transport, Revolver and



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Rifle Shooting; representing the country in international meets; securing a Gold Medal in the National / All-India Police Meet; or creating new National / All-India Police Meet records. The petitioner has not satisfied any of the above conditions, except that he participated and stood first in a Cross-Country Meet within the State of Tamil Nadu.

9. Though the petitioner contends that the promotions of his juniors were granted much prior to the introduction of Rule 15-A or G.O.Ms. No. 468, he has not placed any statutory provision providing for accelerated promotion prior to the said Rules or Government Order. The petitioner thus satisfies neither the requirements under Rule 15-A of the said Rules nor those under G.O.Ms. No. 468. In the absence of any statutory provision enabling accelerated promotion , the petitioner cannot claim the benefits extended to his juniors.

10. Though a punishment roll was pending against the petitioner at the



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relevant time, he was subsequently promoted subject to the final outcome of the departmental enquiry. In the departmental enquiry, the petitioner was exonerated, and the promotion granted to him was regularised. The petitioner retired from service in the year 2013. In the absence of violation of any statutory provision, the relief sought for in the captioned writ petitions cannot be granted, and the petitioner's claim is untenable.

11. In the light of the above, the captioned writ petitions are devoid of merits and are accordingly dismissed. Consequently, the connected miscellaneous petitions are closed. No costs.

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Index : Yes / No

Neutral Citation : Yes / No

Speaking / Non-speaking

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To

1. The Government of Tamil Nadu  
Rep. By its Principal Secretary  
Home (Police-5) Department  
Secretariat, Chennai-600 009.
2. The Director General of Police  
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Home Department  
Fort St.George,  
Chennai-600 009.
5. The Commissioner of Police  
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Office of the Commissioner of Police

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7.

Nagarajn S.I.No.7306

Office of the Commissioner of Police

Egmore, Chennai-600 008.



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**HEMANT CHANDANGOUDAR, J.,**

*mk*

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