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W.P.No.28061 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2025

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THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

W.P.No.28061 of 2014

R.Murali,
Sub Inspector of Police,
Assistant Law Instructor,
Police Recruit School,
Salem.

.. Petitioner

VS

- 1.The Director General of Police,
Law and Order, Chennai.
- 2.Deputy Inspector General of Police,
Coimbatore Range, Coimbatore.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records relating to the impugned order passed by the first respondent herein in his proceedings Rc.No.212107/NGB I(2)/2013 dated 22.03.2014 and quash the same and consequently direct the respondents herein to promote the petitioner as Inspector of Police (Taluk) in the light of the Full Bench judgment of this Court in Deputy Inspector General of Police Vs. V.Rani (2011 (4) MLJ page 1) without reference to punishment of postponement of increment for one year without cumulative effect imposed in P.R.No.26/2010 dated 09.08.2010 and P.R.No.16/H2/2010 dated 25.01.2011 with all consequential monetary and service benefits.



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For Petitioner : Mr.G.Suresh
For Respondents : Mr.P.Balathandayutham,
Special Government Pleader

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ORDER

Mr.Murali, Sub Inspector of Police attached to Police Recruit School, Salem, has preferred this writ petition, challenging the order passed by the Director General of Police vide proceedings dated 22.03.2014 for non-inclusion of his name in the panel of C list of Sub Inspectors of Police fit for promotion as Inspectors of Police (Taluk) for the panel year 2013-2014 for having currency of postponement of increment without cumulative effect.

2. The subject matter of the writ petition is that writ petitioner was serving as Sub Inspector of Police and the name of the writ petitioner was supposed to be included in the C list of Sub Inspectors of Police fit for promotion as Inspectors of Police (Taluk) for the panel year 2012-2013. While considering his name for inclusion, it was found that he suffers currency of punishment as below:



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S.No.	PR No. & Rule	Punishment awarded and by whom
1	13/2010 u/r 3(a) of Thiruvavarur District	Postponement of next increment for one year without cumulative effect by SP, Thiruvavarur on 23.04.2010. This punishment takes effect from 01.01.2011 to 31.12.2011.
2	PR No.14/2010 u/r 3(a) of Thiruvavarur District	Postponement of next increment for one year without cumulative effect by SP, Thiruvavarur on 23.04.2010. This punishment takes monetary effect from 01.01.2012 to 31.12.2012.
3	PR No.26/2010 u/r 3(a) of Thiruvavarur District	Postponement of next increment for one year without cumulative effect by SP, Thiruvavarur on 09.08.2010. This punishment takes monetary effect from 01.01.2013 to 31.12.2013.
4	PR No.16/2010 u/r 3(a) of Salem District	Postponement of next increment for one year without cumulative effect by ADSP, Crime, Salem on 25.01.2011. This punishment takes monetary effect from 01.01.2014 to 31.12.2014.

Hence his name was not included.

3. Being aggrieved, the present writ petition is filed on the ground that the punishment of postponement of increment for one year without cumulative effect passed on 09.08.2010 which had monetary effect from 01.01.2013 ought not to have stood in the way of the name of the petitioner being considered for inclusion in the promotional list in view of the Full Bench judgment rendered by this Court in ***The Deputy Inspector General of Police Vs. V.Rani*** reported in ***(2011 (4) MLJ 1)***. The contention of the writ



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petitioner is that in the light of the dictum laid down by the Full Bench of this Court, on the date of consideration for drawal of the panel, the petitioner was not suffering any punishment. According to the writ petitioner, when there is no currency of punishment, his name ought not to have been excluded from the promotional panel. He pleads that the punishment of postponement of increment for one year without cumulative effect by order dated 25.01.2011 is only in respect of monetary effect whereas the punishment of postponement of increment was issued much earlier i.e., on 09.08.2010. One year period of postponement of increment lapsed before the drawal of panel for the year 2012-2013.

4. Learned Special Government Pleader appearing for the State submitted that the proceedings passed by the Director General of Police dated 22.03.2014, on considering the representation of the writ petitioner and pursuant to the direction of the High Court passed in W.P.No.33831 of 2013, would clearly disclose that the writ petitioner was subjected to four PRs under Rule 3(a) of Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules, 1955, and in each PR, specific punishment has been imposed. The currency of punishment commenced from 01.01.2011 and continued till 31.12.2014. In the light of punishment imposed in those four PRs, it has been implemented one after another.



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Therefore, it is incorrect to plead that the currency of punishment was much prior to drawal of promotional panel.

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5. The contention of the writ petitioner and the impugned order read together indicates that the writ petitioner has not only suffered one PR i.e., PR 26/2010 dated 09.08.2010 but he had already suffered two PRs viz., PR 13/2010 and PR 14/2010. Postponement of increment in those two cases ended only on 31.12.2011 and 31.12.2012 respectively and therefore, the punishment in the third PR commenced after that. Unfortunately, the petitioner was facing departmental enquiry in four cases. The findings were on 23.04.2010, 23.04.2010, 09.08.2010 and 25.01.2011 respectively. In all cases, the punishment was for one year without cumulative effect. Thus, four year period commenced on 01.01.2011 and ended on 31.12.2014 whereas the promotional panel was drawn on 07.06.2012 for the year 2012-2013 and for the year 2013-2014, it was on 01.06.2013. During that period, there was currency of punishment. Therefore, the plea of the writ petitioner that there was no currency of punishment and therefore the dictum laid down by Full Bench (cited supra) to be applied is incorrect. The Full Bench judgment will apply only when there is no currency of punishment. The currency of punishment means that real effect of punishment taking force. Hence I find that the grounds



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raised in the writ petition are unsustainable and hence this writ
petition stands dismissed. There shall be no order as to costs.

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Index:Yes/No
Neutral Citation:Yes/No
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To

- 1.The Director General of Police,
Law and Order, Chennai.
- 2.The Deputy Inspector General of Police,
Coimbatore Range, Coimbatore.



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DR.G.JAYACHANDRAN,. J.

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