



W.P.No.38906 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.38906 of 2025

and

WMP.No.43538 of 2025

D.Renugadevi

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Department of Home,
Government of Tamil Nadu,
Fort St.George, Chennai 600 009.

2.The Director General of Police,
Head of Police Force,
Mylapore, Chennai 600 004.

3.The Deputy Inspector General of Police
Armed Reserve,
Trichy – 12.

4.The Commandant,
Tamil Nadu Special Police 1st Battalion,
Crawford, Trichy -12.

...Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, to call for the records in pursuant to the 1st impugned order passed by the 4th respondent in proceedings Tha.Pa.No 09/2016 dated 09.06.2016, the 2nd impugned order issued by the 3rd respondent in proceedings C.No A2/Appeal-30/2016 dated 27.09.2016, the 3rd impugned order issued by the 2nd respondent in proceedings Rc.No.45371/AP.3[I]/2017 dated 04.11.2017 and the 4th impugned order issued by the 1st respondent in G.O.[2D)].No. 88 Home [Police — IX] Department Dated 30.01.2023 and to quash the orders and to consequently direct the respondents retrospectively promote the petitioner as Naik and Havildar on par with her juniors and to treat the period of absence from duty as duty period for all service benefits.

For Petitioner : Mr.V.Rajinikanth

For Respondents : Mr.Yogesh Kannadasan (Spl.GP).

ORDER

This Writ Petition is filed seeking the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the 1st impugned order passed by the 4th respondent in proceedings Tha.Pa.No.09/2016 dated 09.06.2016, the 2nd impugned order issued by the 3rd respondent in proceedings C.No.A2/Appeal-30/2016 dated 27.09.2016, the 3rd impugned order issued by the 2nd respondent in proceedings Rc.No.45371/AP.3(1)/2017 dated 04.11.2017, and the 4th



impugned order issued by the 1st respondent in G.O.(2D) No.88, Home (Police-IX) Department, dated 30.01.2023, and to quash the said orders and consequently direct the respondents to retrospectively promote the petitioner as Naik and Havildar on a par with her juniors and to treat the period of absence from duty as "duty period" for all service benefits.

2. The petitioner's case is that she was initially appointed as a Woman Police Constable on 01.02.2011 in the Tamil Nadu Special Police, 1st Battalion, Trichy. She was subsequently promoted as Naik on 30.03.2017 and as Havildar on 30.10.2018.

3. The petitioner's further case is that, while serving as a Woman Police Constable, she gave birth to twin male children and was granted 180 days of maternity leave. However, due to her poor health condition and the demanding responsibility of taking care of her six-month-old twin children, she was unable to resume duty immediately upon the expiry of the maternity leave. As a result, disciplinary proceedings were initiated against her on the ground of unauthorized absence/desertion and an enquiry was conducted during which she submitted her defence explaining her circumstances. However, the Enquiry Officer, without considering the same, held that the charges were proved against her.



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4.It is the further case of the petitioner that the 4th respondent initially imposed the punishment of postponement of increment for two years with cumulative effect, treating her period of absence as "leave without pay" (proceedings dated 09.06.2016). On appeal, the 3rd respondent reduced it to postponement of one increment for one year without cumulative effect (proceedings dated 27.09.2016). A mercy petition to the 2nd respondent was rejected. Thereafter, pursuant to the rejection of a mercy petition by the 2nd respondent, the petitioner preferred an appeal before the 1st respondent, who reduced the punishment to censure vide (G.O.(2D) No.88, Home (Police IX) Department, dated 30.01.2023. Though the punishment was reduced to censure, the period of unauthorised absence was treated as Leave without Pay. Therefore, the petitioner submitted a representation in July 2023, but no orders have been passed on her representation till date. Hence, this Writ Petition.

5. Per contra, Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents would submit that the petitioner's representation given in July 2023 is still pending with the 1st respondent, and the petitioner has approached this Court without awaiting its disposal.



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6. Heard the submissions made by the learned counsels appearing on either side.

7. Though a larger prayer has been sought in this Writ Petition, when the matter is taken up for hearing, the learned counsel for the petitioner would submit that it would suffice to direct the respondents to consider the representation given by the petitioner in the month of July 2023, within a specified period.

8. The learned Special Government Pleader, on instructions, would submit that the copy of the representation is not available with the 1st respondent.

9. In view of the above, this Writ Petition stands disposed of with a direction to the petitioner to enclose a copy of the representation given in the month of July 2023 along with a copy of this order and submit the same before the 1st respondent. On the petitioner doing so, the 1st respondent shall consider the said representation and pass appropriate orders on merits and in accordance with law within a period of twelve (12) weeks. No costs. Consequently, the connected Miscellaneous Petition is closed.



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Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No
(shr)

To

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