



W.A.(MD)No.617 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.08.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A.(MD)No.617 of 2020

S.Anthony Soosai

... Appellant

Vs.

1.The State of Tamil Nadu,
Through the Secretary,
Home Department,
Fort St.George,
Chennai.

2.The Director General of Police,
Tamil Nadu, Mylapore,
Chennai - 600 009.

3.The Commissioner of Police,
Office of the Commissioner,
Tirunelveli.

4.P.Subramanian

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.5212 of 2013 dated 02.08.2019 on the file of this Court.



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For Appellant : Mr.J.John

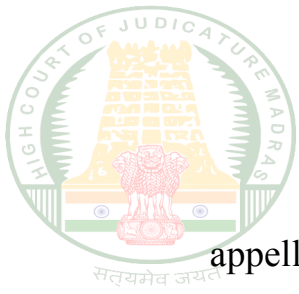
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For Respondents : Mr.N.Satheeshkumar,
Addl. Government Pleader for R1 to R3.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

The unsuccessful writ petitioner is the appellant before us. The appellant filed W.P.(MD)No.5212 of 2013 challenging the memorandum dated 19.11.2012 issued by the Director General of Police, Chennai – 4 finalizing the promotion panel for the post of Inspector of Police (Armed Reserve).

2.The appellant felt aggrieved by the fact that one Subramanian was included at serial No.5 in the said promotion panel whereas he was left out. The appellant contended that he was appointed as Grade II Police Constable as early as on 14.12.1977 whereas the said Subramanian was appointed as Grade II Police Constable only on 01.04.1981. Prima facie, it appears that a person who was appointed later in point of time in the same grade had stolen march over the appellant. But on a deeper reflection, the appellant may not have a case. The learned Single Judge while dismissing the writ petition noted that the



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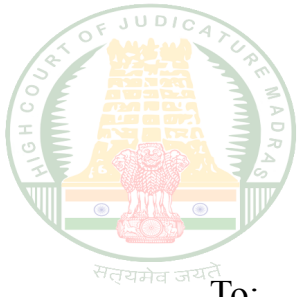
appellant can be granted relief only if he is able to establish that he was not considered but on the other hand, his junior was promoted.

3.The post in question is that of Inspector of Police. The feeder grade for the post is Sub Inspector of Police. Subramanian got promoted as Sub Inspector of Police in the year 2003 itself whereas the appellant got promoted to the post of Sub Inspector of Police only on 27.02.2006. The appellant cannot compare himself with the position of Subramanian in the post of Grade II Police Constable. The *inter se* position that obtained in the post of Sub Inspector of Police alone is relevant and material. In the said post, admittedly, Subramanian was senior and the appellant was junior. Therefore, he cannot have any real cause for complaint. In that view of the matter, the order of the learned Single Judge is sustained and the writ appeal is dismissed. No costs.

(G.R.S. J.,) & (K.R.S. J.,)
22.08.2025

NCC : Yes/No
Index : Yes / No
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