



WEB COPY

W.P.(MD) No.21115 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P.(MD) No.21115 of 2025

and

W.M.P.(MD) No.16335 of 2025

K.Yasar Arafath

... Petitioner

-VS-

- 1.The Home Secretary
Ministry of Home Affairs
Government of India
North Block
New Delhi-110 001
- 2.The Chief Secretary to Government
Government of Tamil Nadu
Secretariat, Fort St.George
Chennai-600 009
- 3.The Secretary to Government
Home Department
Government of Tamil Nadu
Secretariat, Fort St.George
Chennai-600 009

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to immediately initiate the process for empanelment of eligible IPS officers for the post of Director General of Police, Tamil Nadu in accordance with the direction of the Honourable Supreme Court in ***Prakash Singh V. Union of India.***

For Petitioner : Mr.K.Rajeshwaran

For Respondents : Mr.K.Govindarajan
Deputy Solicitor General of India for R1
Mr.M.Ajmal Khan
Additional Advocate General
assisted by Mr.P.Thilakkumar
Government Pleader for R2 & R3

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

This writ petition has been instituted seeking a direction to the respondents to immediately initiate the process for empanelment of eligible IPS officers for the post of Director General of Police (DGP), in accordance with the directions issued by the Honourable Supreme Court of India in the case of ***Prakash Singh and others vs. Union of India and others***, reported in ***(2006) 8 SCC 1.***



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2. Admittedly, appointment to the post of DGP is yet to be made.

The incumbent DGP is going to attain the age of superannuation on 31.08.2025. Thus, the only question left out is whether the Government has followed the pre-appointment procedures as prescribed by the Honourable Supreme Court of India in the case of **Prakash Singh** (cited supra) or not.

3. A Three Judges Bench of the Apex Court, subsequently, in the very same case i.e., **Prakash Singh** (cited supra), *vide* Judgment dated 03.07.2018 reported in **(2019) 4 SCC 13**, issued further modified directions. Thereafter, a draft guidelines for empanelling officers for appointment as DGP (Chief of the Police) was issued by the Government of India. The Union Public Service Commission, All India Services Branch, has also issued a Single Window System to be adopted by the States for appointment to the post of DGP (HoPF), *vide* proceedings in F.No.4/12/2024-AIS, dated 22nd April, 2025. Thus, the pre-appointment procedures to be followed for appointment to the post of DGP are now well settled by the Honourable Supreme Court of India and by the subsequent guidelines issued by the Government of India and also by the Single Window System issued by the Union Public Service Commission.



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Thus, the empanelment of officers for appointment to the post of DGP is to be strictly done in consonance with the directives of the Honourable Supreme Court of India and the consequential orders of the Government of India and the Union Public Service Commission.

4. It is brought to the notice of this Court that a writ petition in W.P.No.29350 of 2025 was filed by one Dhamodaran before the Principal Seat of this Court seeking a similar prayer and the Co-ordinate Bench at the Principal Seat, by an order dated 04.08.2025, dismissed the said writ petition, on the ground that it is premature.

5. We concur with the said view taken by the Co-ordinate Bench at the Principal Seat in view of the fact that the appointment to the post of DGP is yet to be made. However, this Court reiterates that the pre-appointment procedures, as contemplated by the Honourable Supreme Court of India and the consequential orders of the Government of India and the Union Public Service Commission, are to be scrupulously followed so as to maintain independence and transparency in the matter of appointment to the post of DGP in the State.



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6. Mr.M.Ajmal Khan, learned Additional Advocate General appearing on behalf of the State, on instructions, submitted that the process for appointment to the post of DGP is ongoing.

7. In view of the above submission of the learned Additional Advocate General, no further interference is required in this writ petition at this juncture.

8. With the above observations, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[G.A.M., J.]

14.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

1.The Home Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110 001.



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Government of Tamil Nadu,
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