



W.P.(MD).No.27246 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.27246 of 2023

R.Sadaiyandi

... Petitioner

-VS-

1. The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai-4.

2. The Inspector General of Police,
Madurai Range,
Madurai.

3. The Superintendent of Police,
Madurai District,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first Respondent to consider the petitioner's appeal dated 29.10.2021 and the reminder dated 24.07.2023 and to promote the petitioner to the post of Special Sub Inspector of Police on par with his batchmate with effect from 01.10.2007 notionally and to grant all attendant and other monetary benefits within a stipulated time may be fixed by this Court.



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For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.K.Balasubramani

Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the first respondent to consider the petitioner's appeal dated 29.10.2021 and the reminder dated 24.07.2023 and also to promote the petitioner to the post of Special Sub Inspector of Police on par with his batchmate with effect from 01.10.2007 notionally and to grant all attendant and other monetary benefits within a stipulated time may be fixed by this Court.

2. Heard the learned counsel on either side.

3. According to the petitioner, he was initially recruited as 'Bugler Police Constable Grade – II' and he was promoted as 'Grade I Police Constable' on completion of ten years of service and as 'Head Constable of Police' on completion of 15 years and as 'Special Sub Inspector of Police' on completion of 25 years on 07.01.2010 and finally, he retired from service on 31.07.2011. It came to the knowledge of the petitioner that one of the



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petitioner's colleague, namely Chellappa, who was appointed on the same day of the petitioner's appointment as 'Bugler Police Constable' was awarded with promotion to the post of Special Sub Inspector of Police on 01.10.2007 itself. Therefore, the petitioner made a representation / appeal to the first respondent dated 24.07.2023 with regard to the same. Since the said representation / appeal was not considered, the petitioner has filed the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation / appeal dated 24.07.2023 on its own merits and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this



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order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

08.07.2025

NCC : Yes/No
Index : Yes / No
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WEB CUTO:-

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VIVEK KUMAR SINGH, J.

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Order made in
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Dated:
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