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W.P No. 23636 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2026

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 23636 of 2015

and MP.Nos. 1 & 2 of 2015

and WMP.Nos. 8277 of 2016 and 23636 of 2015

P.Suresh Kumar, HC, 148
Armoury, Armed Reserve,
Namakkal District.

..Petitioner

Vs

1.The Secretary
Home Department,
Government of Tamil Nadu,
Secretariat, Chennai-600009.

2.The Director -General of Police,
Administration,
Dr.Radhakrishnan Salai, Chennai-600004.

3.The Inspector-General of Police,
Western Zone,
Coimbatore -18.

4.The Deputy Inspector-General of Police,
Salem Range,
Salem District.

5.The Superintendent of Police,
Namakkal District.



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6.S.Murugan, HC, 648
Armour Work Shop,
Armed Reserve, Dharmapuri District.
(R6 impleaded vide order of this Court
dated 15.02.2016)

Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the Calling for the entire records relating to the impugned proceedings of the 5th respondent vide Na.Ka.No.A2/570/29567/2014 dated 30.01.2015 and quash the same as illegal and consequently directing the respondents to consider the service seniority in the promotion of Head Constables to the post of Sub Inspector of Police, Armed Reserve, Tamil Nadu Police Department, as prescribed in the Tamil Nadu Police Subordinate Service Rules by taking of the date of recruitment of the petitioner and consequently to promote the eligible petitioner to the post of Sub Inspector of police, Armed Reserve, Salem Range with due seniority and other service benefits. (Prayer amended vide order of this Court dated 12.09.2025)

For Petitioner : M/s. A.Kalaivanan

For Respondents : Mr.P.Ganesan, GA -R1 to R5
Mr.K.Venkataramani, Senior Advocate
For Mr.Muthappan - R6



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ORDER

The Writ Petition has been filed seeking issuance of a Writ of Certificated Mandamus to quash the proceedings in Na.Ka.No. A2/570/29567/2014 dated 30.01.2015 issued by the fifth respondent and to consequently direct the respondents to consider the petitioner's service seniority for promotion from the post of Head Constable to Sub Inspector of Police (Armed Reserve), Tamil Nadu Police Department, in accordance with the Tamil Nadu Police Subordinate Service Rules, by taking into account the petitioner's date of recruitment, and to promote him as Sub Inspector of Police (Armed Reserve), Salem Range, with appropriate seniority and attendant benefits.

2. The petitioner was selected and appointed as Grade-II Police Constable in the Tamil Nadu Police Service on 15.04.1997. He was posted as Grade-II Police Constable in the Armed Reserve, Namakkal District, from 16.12.2002. On his request, he was posted to the Armoury on 02.09.2005 and underwent



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Armourer training from 23.01.2006 to 23.11.2006. Upon completion of ten years of service, he was placed in Selection Grade as Grade-II Police Constable with effect from 15.04.2007 and was upgraded as Grade-I Police Constable on 05.07.2007. Thereafter, he was promoted as Head Constable with effect from 01.05.2012 and completed his probation in the said post on 21.06.2014.

3. The sixth respondent was recruited as Grade-II Police Constable on 01.11.1997. After completing institutional training, he was posted in the IV Battalion, Coimbatore, and later transferred to the District Armed Reserve, Dharmapuri District. He opted to serve in the Armoury and, based on his willingness, underwent Police Armourer Basic Training from 22.01.2007 to 22.11.2007. Upon completion of training, his name was included in the Armoury list and he was posted as Police Armourer by order dated 14.12.2007 issued by the Superintendent of Police. He was relieved from the Armed Reserve and reported for duty on 02.01.2008. On completion of ten years of service, he was upgraded as Grade-I Police Constable with effect from 01.11.2007.



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4. Both Dharmapuri and Namakkal Districts fall under the jurisdiction of Salem Range. The grievance of the petitioner is that although he was recruited prior to the sixth respondent, the sixth respondent, who had completed seven years of service including four years as Head Constable, was promoted as Sub Inspector of Police in Salem Range, ignoring the petitioner's seniority. According to the petitioner, such action is arbitrary, discriminatory, and liable to be set aside.

5. The petitioner further contended that he was denied promotion on the ground that no vacancy was available in Namakkal District. He submitted that seniority ought to have been maintained on a range-wise basis for Salem Range and not district-wise. If a combined seniority list had been maintained for the Range, his name would have been placed above that of the sixth respondent. In support of his contention, he relied upon the judgment of the Division Bench of this Court in W.P. No. 25043 of 2002 dated 08.09.2007 (N.K. Kaladaran and another v. State of Tamil Nadu and others).



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6. In response, the learned Government Advocate appearing for respondents 1 to 5 and the learned Senior Counsel appearing for the sixth respondent submitted that the petitioner was serving as Constable and later promoted as Head Constable in Namakkal District, whereas the sixth respondent was appointed and promoted in Dharmapuri District. Since seniority in the cadre of Head Constable is maintained district-wise, the sixth respondent's name was included in the 'C' List for promotion to the post of Sub Inspector of Police in his district. As there was no vacancy in Namakkal District, the petitioner's name was not included in the 'C' List. It was further submitted that, as per Rule 3(ii)(b) of the Special Rules for the Tamil Nadu Police Subordinate Service, a candidate must have completed a total service of seven years and must have served as Head Constable or Head Constable (Armed Reserve) for not less than four years to be eligible for inclusion in the 'C' List. As on the crucial date for preparation of the 'C' List, the petitioner had not completed four years of service as Head Constable, and therefore his name was rightly excluded.



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7. The submissions made by the learned counsel on either side and the materials placed on record have been duly considered.

8. The dates of appointment of the petitioner and the sixth respondent as Police Constables are not in dispute. It is also not disputed that the petitioner was appointed in Namakkal District, whereas the sixth respondent was appointed in Dharmapuri District. Police Standing Order 42 and the Tamil Nadu Police Standing Orders deal with promotion to the post of Head Constable in District Police and Armed Reserve. They provide that Grade-I Police Constables shall be promoted as Head Constables from the combined seniority list maintained by the local police, and that all Grade-I Police Constables shall take seniority from the date of their regular appointment, irrespective of the mode of selection, whether by direct recruitment or promotion.

9. Sub-rule (2) of the above Standing Orders stipulates that all Grade-I Police Constables in the Armed Reserve, both in the General Line and Specialist Line, shall be promoted as Head Constables in order of seniority in their



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respective lines without any test. However, a separate test is prescribed for Driver Head Constables for promotion as Driver Mechanics.

10. From a reading of the above provisions, the following aspects emerge:

10.1. The seniority list in respect of Grade-I Police Constables for the purpose of promotion to the post of Sub Inspector of Police is maintained district-wise and not range-wise. The petitioner was promoted as Head Constable on 01.05.2012 when a vacancy arose in Namakkal District. The sixth respondent was promoted earlier in Dharmapuri District due to the availability of vacancy there. Therefore, the petitioner cannot claim promotion over the sixth respondent solely on the basis of earlier recruitment.

10.2. Rule 3(ii)(b) of the Special Rules for the Tamil Nadu Police Subordinate Service provides that, for inclusion in the list of Head Constables or Head Constables (Armed Reserve) fit for promotion as Sub Inspector of Police (Armed Reserve), a candidate must:



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12. The Division Bench of this Court in W.P. No. 25043 of 2002 dated 08.09.2007 held that, in the absence of Special Rules treating the Motor Transport Wing of the City Police, Chennai, Armed Reserve Police, and Local Police as distinct departments for promotional purposes, the date of recruitment should be considered as the basis for fixing seniority. The respondents therein were directed to include the names of the petitioners in the 'C' List and grant promotion accordingly.

13. However, Rule 3(ii)(b) of the Special Rules clearly stipulates that the Superintendent of Police shall prepare and submit the list to the Range Promotion Board, which, after scrutiny, shall forward it to the Deputy Inspector General concerned. The Deputy Inspector General shall determine the number of eligible Head Constables or Head Constables (Armed Reserve) to be admitted for the written test to be conducted at the Range level. The Rule thus indicates that promotion is subject to eligibility criteria and availability of vacancies. As on the date of preparation of the 'C' List, there were no vacancies



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in Namakkal District and the petitioner had not completed the requisite four years of service as Head Constable.

14. In the present case, the petitioner's seniority in the cadre of Grade-I Police Constable in Namakkal District has been fixed based on his date of recruitment. In view of the above discussion, no further relief can be granted. Accordingly, the Writ Petition is disposed of with the above observations. Consequently, the connected Miscellaneous Petition are closed. There shall be no order as to costs.

16.02.2026

Index : Yes
Internet : Yes
Neutral Citation : Yes
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Home Department,
Government of Tamil Nadu,
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HEMANT CHANDANGOUDAR, J.
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