



W.P.No.22083 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 03.02.2026

Pronounced on : 06.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.No.22083 of 2021

and WMP.Nos.23301 & 23302 of 2021

Munian

... Petitioner

vs

1. The Secretary to Government,

Home Police Department,

Government of Tamil Nadu,

Fort St. George, Chennai – 600 009.

2. The Director General of Police,

Chennai – 600 004.

3. The Commissioner of Police,

Greater Chennai Police, Vepery, Chennai – 7.

... Respondents



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WEB

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for records with respect of impugned proceedings with respect of the third respondent dated 01.09.2021 in RC.No.Estt. 3 (1)/SI-Board/19/15219/2021 CPO No.2340/2021 and quash the same consequently direct the respondents herein to follow state level seniority for promotion for the post of Sub-Inspector of Police from the feeder category post of Head Constable/Special Sub Inspector of Police by considering the representation of the petitioners dated 04.09.2021.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mrs.V.Yamunadevi

Special Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the records.

2. The case of the petitioner in brief is that the respondents are considering range wise seniority for promotion to the post of Sub Inspector of Police from the post of Special Sub Inspector of Police/Head Constable which is



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the feeder category for granting promotion instead of having a State Level Seniority.

3. The grievance of the petitioner is that on account of the respondents adopting range wise seniority, at the stage of granting promotion to the post of Sub Inspector of Police, from entry level i.e., Grade-II Police Constable to Grade -I Police Constable and similarly from Grade – I Police Constable to Head Constable/Special Sub Inspector of Police, promotions are being granted district wise depending on the vacancy in the concerned district; that the post of Head Constable/Special Sub Inspector of Police is the feeder post to the promotional post of Sub Inspector of Police; that on account of adopting district wise promotion to fill up the vacancies in the level of Grade – I Police Constable and Head Constable/Special Sub Inspector of Police, juniors working in a particular district of a range are becoming eligible for promotion to the post of Sub Inspector of Police having been promoted to the post of Head Constable/Special Sub Inspector of Police against the vacancies arising in the district; that on account of promotion being granted on the basis of District wise vacancy in feeder category posts, some



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of the candidates in a particular district, where there are no vacancies, even though got selected and appointed as Grade – II Police Constable at the same time or earlier, are not getting promotion. It is thus, contended that the same is leading to stagnation in the same post, apart from, they having required to work under their juniors, thereby having demoralizing effect.

4. Petitioner further contended that though the respondents while considering the promotion to the post of Sub Inspector of Police, consider the entire range consisting of all districts as one unit, since, promotion in feeder category is effected on the basis of district wise vacancies, such promotion is resulting in anomaly.

5. It is the further case of the petitioner that though there are time bound promotions from Grade – II Police Constable to Grade – I Police Constable and thereafter, to the post of Head Constable/Special Sub Inspector of Police, as there is no fixed time limit from the post of Special Sub Inspector of Police for further upgradation by getting promotion to the post of Sub Inspector of Police; that the



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promotions in other ranges are also not being done in uniformly; that on certain occasions on account of non-existence of vacancies in a particular district in a range, the employees who have joined the service as Grade-II Police Constable and securing time bound upgradation as Grade-I Police Constable after 10 years of service and to the post of the Head Constable/Special Sub Inspector of Police after five years of service, are not getting promotions to the next level; and that only if a State wise seniority list is maintained for effecting promotions, based on such seniority, the Head Constable/Special Sub Inspector of Police working in a range would become eligible for being promoted as Sub Inspector of Police, irrespective of there exists vacancies in a particular range or not in a given year.

6. On behalf of the petitioner, it is also contended that since, the police force is one for the entire State, the respondents ought to have adopted State wise seniority list and on account of not having State wise seniority list, senior most Head Constable/Special Sub Inspector of Police working in particular range is not able to get promotion to the post of sub-Inspector and thereafter to the post of Inspector of Police in life time on account of non-existence of vacancies in that



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range, while the Head Constable and Special Sub Inspector of Police in another range where vacancies exist or arise, though younger in age and service are getting promoted to the post of Sub Inspector of Police and thereafter are becoming eligible for promotion as Inspector of Police based on State level seniority resulting in inequality in promotional opportunities.

7. Petitioner further contended that the aforesaid anomaly of inequality in promotion can be ironed out only if a State wise seniority list is prepared and maintained and promotion are granted on the basis of seniority, instead of granting district wise promotions at the level of Grade – II & I Constable, Head Constable/Special Sub Inspector of Police and range wise seniority for the post of Sub Inspector of Police.

8. Contending as above, the petitioner assails the action of the third respondent in issuing proceedings dated 01.09.2021 whereby the Special Sub Inspector of Police working in the third respondent range are proposed to sent for pre-promotional training for the post of Sub Inspector of Police.



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9. Counter affidavit on behalf of the respondents is filed.

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10. The respondents while denying the Writ averments, contended that there are 19 ranges in the respondent department for the entire State of Tamil Nadu for an effective administration; that Grade -II Constable is the entry level post in the Police department; that the Superintendent of Police in a district and Deputy Commissioner of Police in Cities are the appointing authority to the entry level post of Grade – II Constable; and that from the entry level post of Grade – II Constable, the next level of promotion is Grade – I Police Constable and thereafter, as Head Constable in the district/Unit Level based on seniority, subject to the availability of vacancies in the respective districts/Units.

11. The respondents, by the counter affidavit further contended that the Government in order to remove the stagnation among the Constabulary rank and to provide promotion avenues had introduced upgradation scheme in the year 1992-1993 in a phased manner; that as per G.O.Ms.No.844, Home (Pol.5) Department, dated 03.06.1997, the Grade – II Police Constable on completion of 10 years of service will be upgraded as Grade – I Police Constable and Grade-I Police



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Constable on completion of 5 years of service will be upgraded as Head Constable.

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12. By the counter affidavit it is also contended that under G.O.Ms.No.937, Home (Pol.3) Dept., dated 21.07.1998, the Government had ordered that Head Constables those who have completed 25 years of total service including 10 years of service as Head Constable would be upgraded as Special Sub Inspectors and the power to undertake such upgradation has been delegated to the Superintendent of Police/Deputy Commissioner of Police under G.O.Ms.No.15, Home (Pol.V) Department, dated 07.01.2010.

13. The respondents by the counter affidavit further contended that as per Rule 3 (b) (ii) (b) of Tamil Nadu Police Service Subordinate Rules, promotion to the post of Sub Inspector of Police is to be undertaken by convening the Range Promotion Board, taking into consideration, the estimate of vacancies in the rank of Sub Inspector of Police in each range; that since, range wise seniority is considered to fill up the vacancies in the rank of Sub Inspector of Police in a particular range, the Commissioner of Police in Cities and all Deputy Inspectors General of Police in ranges draw “C” lists of Head Constables/Special Sub Inspector fit for promotion based on their range seniority; and that promotions



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against the promotee quota vacancies of sub-inspector of police are effected on the basis of range wise seniority.

14. In so far as the impugned proceeding as issued by the 3rd respondent is concerned, it is contended that for the year 2021, based on the range seniority and service records of individuals against estimated vacancies under promotee quota for promotion to the post of regular Sub Inspectors of Police, the range promotion board has been conducted in accordance with law within the jurisdiction of the third respondent and petitioner cannot feel aggrieved by the same.

15. The respondents, by the counter affidavit further contended that the claim of the petitioner of requiring to consider the State level seniority to the post of Sub Inspector of Police from the feeder category of Head Constable/Special Sub Inspector, cannot be considered as the said approach/practice, if adopted, some districts would gain disproportionately with the existing strength and some districts may lose strength in the feeder category of Head Constable/Special Sub



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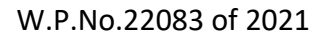
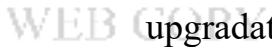
Inspector of Police leading to shortage and create imbalance.

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16. The respondents by the counter affidavit further contended that since, Rule 3 (b) (ii) (b) of Tamil Nadu Police Subordinate Service Rules clearly prescribes that for promotion, it is range seniority that is to be considered, the question of State Seniority does not arise, particularly, in absence of any Rule providing for such State seniority. It is thus, contended that if respondents undertake any such exercise the same would be in violation of statutory rules.

17. It is further contended that the State level seniority list is prepared and considered for promotion as Inspector of Police, whereby the list of all the Sub Inspector of Police serving in all the ranges are consolidated as per the date of their promotion as Sub Inspector of Police and by applying the State level seniority, the Sub Inspector of Police fit for promotion as Inspector of Police is drawn. Insofar as the Sub Inspector of Police is concerned, it is undertaken based on the range level seniority as per Rule 3 (ii) (b) (ii) of the Tamil Nadu Police Subordinate Service Rules.

18. The respondents by the counter affidavit further contended that the



19. The respondents, by the counter affidavit, also contended that the petitioner cannot claim seniority in the rank of Head Constables in comparison with the personnel serving in another range/city, claiming that they are juniors, as for granting promotion to the post of Sub Inspector of Police, it is range wise seniority that is considered, in absence of the petitioner showing the range wise seniority being violated, while granting promotion as Sub Inspector of Police; and that the initial method of selection and appointment as per Rule 3 being range wise, and the petitioner getting selected to the post on range wise basis, cannot now



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claim that State wise seniority list is to be prepared.

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20. Contending as above, the respondents seek for dismissal of the writ petition.

21. I have taken note of the respective contentions as urged.

22. Firstly, it is to be noted that in the Police Department till the post of Sub Inspector of Police, recruitment is undertaken Range wise, with each range consisting of various districts. It is only when a working personnel becomes eligible to the post of Inspector of Police, which is a gazetted post and liable to be posted on transfer anywhere in the State, the State wise seniority list of Sub Inspector of Police is prepared and appointments are done against the vacancies reserved for being filled up by way of promotion, in addition to direct recruitment.

23. Since, the selection to the post of Grade -II Constable being undertaken range wise, the claim of the petitioner of the Police force being one and thus, State wise seniority list is to be prepared, appears to this Court, is by ignoring / forgetting the selection process through which he himself got selected initially as



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Grade – II Constable. If only the claim of the petitioner of the entire police force being one, and thus, State wise seniority list is to be prepared and maintained for granting promotions, is to be accepted, then the selection process should be State level common selection process, whereby, meritorious candidates, irrespective of district to which they belong to, can get selected and appointed to the post and being posted anywhere in the State.

24. The legislature in its wisdom having granted protection in recruitment up to a particular level on the basis of range/zones and also granting protection, in cases of transfers to be within a range, the petitioner cannot claim the State wise seniority list is to be prepared without seeking for State wise selection process.

25. Further, the method of appointment and promotion in the post up to the Inspector of Police being governed by Tamil Nadu Police Subordinate Service Rules-Special Rules, published in GO.Ms.No.2743 dated 30.09.1953 governing the said appointments and in absence of any challenge to the said rules and also



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taking note of the fact that the said rules have stood the test of time, this Court is of the view that the claim of the petitioner of respondent requiring to prepare a State wise seniority list for granting promotion to the post of Sub Inspector of Police or for that matter, the action of the third respondent in preparing a list of Head Constable/Special Sub Inspector of Police fit for promotion in the third respondent range does not call for any interference. Thus, the challenge is misconceived.

Accordingly, this Writ Petition fails and is dismissed. Consequently, connected Miscellaneous Petitions are closed. No order as to costs.

06.02.2026

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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T. VINOD KUMAR, J.

dh

Pre-delivery order made in

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