



W.A(MD) No.254 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 07.01.2026

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

W.A(MD) No.254 of 2021

S.Velusamy

... Appellant

Vs.

1.The Secretary to Government,
Department of Home,
Secretariat, St.George Fort,
Chennai 600 009.

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

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

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order passed in W.P.(MD)No.3572 of 2014, dated 06.02.2020.



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For Appellant : Mr.S.Chellapandian

For Respondents : Mr.S.S.Madhavan
Additional Government Pleader

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The unsuccessful writ petitioner is the appellant before us. The writ petitioner joined the police department as Police Constable Grade II on 11.04.1977. He became Police Constable Grade I on 01.01.1985. He was later promoted as Head Constable on 12.11.1990. He was given selection grade in the post of Head Constable on 12.11.2000. Pursuant to the direction given by this Court, for consideration of his claim for promotion as SSI, vide memorandum dated 19.08.2013, the Director General of Police, Tamil Nadu, Chennai-4, upgraded the writ petitioner as SSI of Police with effect from 01.06.2002. The writ petitioner became a regular SI of Police with effect from 18.08.2012.



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3. The only question that calls for consideration in this appeal is whether the writ petitioner was entitled to be conferred with selection grade. The petitioner's request was rejected by the Superintendent of Police, Tirunelveli vide order dated 16.12.2013. Challenging the same, the petitioner filed W.P.(MD)No.3572 of 2014. The writ petition was dismissed vide order dated 06.02.2020. Challenging the same, this writ petition has been filed.

4. The learned Additional Government Pleader appearing for the employer pointed out that as per G.O.Ms.No.937, Home (Pol.III) Department, dated 21.07.1998, once an SSI was regularly promoted as SI, the post would automatically lapse. Since the petitioner was promoted as SI only on 18.08.2012 and retired on reaching the superannuation within six months thereafter, the question of conferring selection grade does not arise. We are not impressed with this submission.

5. It is well settled that as per G.O.Ms.No.68, Personnel & Administrative Reforms (Per-M) Department, dated 23.01.1986, all



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employees who have put in 10 years of satisfactory service are entitled to be advanced to selection grade.

6. It is not in dispute that an SSI also draws the same pay as that of a regularly appointed SI. The petitioner had admittedly served as SSI since 01.06.2002 till 09.05.2012. He was regularly promoted as SI of Police on 09.05.2012. Thus, the petitioner had served as SSI for 9 years, 11 months and 10 days and it was immediately followed by his promotion as regular SI on 09.05.2012. The duties and responsibilities attached to the post of SSI and SI are one and the same. The pay band is one and the same.

7. In these circumstances, we are of the view that the petitioner has made out a case for conferment of selection grade. His pay and pensionary benefits shall be refixed accordingly.



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8. In this view of the matter, the order impugned in the writ petition as well as the order of the learned single Judge are set aside. The writ appeal is allowed. No costs.

(G.R.S., J.) (R.K.M., J.)
07.01.2026

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

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