

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD  
(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINETH DAY OF MAY  
TWO THOUSAND AND EIGHT

PRESENT  
**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**  
and  
**THE HON'BLE MR JUSTICE C.V.RAMULU**

**WRIT PETITION NO : 11032 of 2008**

Between:

K.Ramachandran S/o.K.Veeranna, aged about 50 years Occ:Inspector  
of Police  
attached to Hyd Range R/o.Bowenpally,Sec-Bad

**..... PETITIONER**

AND

- 1.The Govt. of A.P Rep.by its Principal Secretary Home Department  
Secretariat,Hyderabad.
- 2.The Commissioner Of Police Hyderabad City Hyderabad
- 3.The Director General Of Police A.P Hyderabad.
- 4.The Deputy Inspector General of Police Hyderabad Range  
Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction in the nature of Mandamus declaring the action of the respondents in not considering the case of the petitioner for promotion to the post of on the Superintendent of Police ( Civil ) on par with his juniors on the premise that the orders passed by this Honourable Court dt. 31-12-07 in WPMP No. 36243/07 in WP No. 27708/07 are coming in their way in considering the case of the petitioner for promotion as illegal, arbitrary, consequently direct the respondents to consider the case of the petitioner for promotion to the post of Deputy Superintendent of Police ( Civil ) on par with juniors in terms of orders passed in WPMP No. 36243/07 in WP No. 27708/07.

**Counsel for the Petitioner: MR.A.PRABHAKAR RAO**

**Counsel for the Respondents: GP FOR SERVICES-I**

The Court made the following ORDER:

**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

**and**

**THE HON'BLE MR JUSTICE C.V.RAMULU**

**WRIT PETITION No:11032 of 2008**

**ORDER:**(per Hon'ble Sri Justice L.Narasimha Reddy)

This writ petition is filed with a prayer to declare the action of the respondents in not considering the case of the petitioner for promotion to the post of Deputy Superintendent of Police (Civil) on par with his juniors. It is also asserted that the writ petitioner is entitled to be promoted in view of the orders passed by this Court on 31.12.2007 in W.P.M.P.No.36243 of 2007 in W.P.No.27708 of 2007 and that there is no justification for the respondents in contending that the said order comes in the way of promotion of the petitioner.

Heard Sri A.Prabhakar Rao, learned counsel for the petitioner, and the learned Government Pleader for Services-I.

The petitioner had approached the A.P.Administrative Tribunal, Hyderabad (for short 'the Tribunal') by filing O.A.No.1783 of 2008 to enforce his claim for promotion to the post of Deputy Superintendent of Police (Civil). On

consideration of the matter, at the initial stage, the Tribunal passed an order to the following effect.

“4. In view of such circumstances, the cloud against the applicant i.e., suspension gets erased and as the respondents have not furnished any charge memo nor any charge sheet has been filed in the criminal case, the applicant is entitled to be promoted on par with his juniors and, therefore, the respondents are directed to consider the applicant for promotion as Deputy Superintendent of Police on par with his juniors who have been promoted vide orders dated 31.12.2007, by doing the necessary exercise within a period of two weeks from the date of receipt of a copy of this order and issue consequential proceedings, pending further orders in this O.A.”

The occasion for the petitioner to approach this Court would have arisen if only he was not satisfied with the order passed by the Tribunal. On the other hand, the petitioner, in a way, feels satisfied with the directions issued by the Tribunal. As long as the petitioner does not feel any grievance vis-à-vis the order passed by the Tribunal, he cannot approach this Court with an independent plea or prayer. Secondly, the contentions advanced on behalf of the petitioner are mostly based on apprehensions and there is nothing on record to disclose that the respondents have taken any particular view as regards the claim of the petitioner. In case, the directions issued by the Tribunal are not implemented, it is for the petitioner to take necessary action for enforcement thereof.

We therefore dismiss the writ petition leaving it open to the petitioner to pursue the remedies according to law.

No costs.

---

L.NARASIMHA REDDY, J

---

C.V.RAMULU, J

Date:29.05.2008  
VGB/PNB