



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2013

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.(MD).No.4767 of 2013 &amp;

M.P.(MD).No.1 of 2013

WEB COPY

M.Karunanithi  
Police Constable Grade-I,  
B-5, South Veli Police Station (L & O)  
Madurai City,  
Madurai.

. . Petitioner

Vs.

The Commissioner of Police,  
Madurai City,  
Madurai District.

.. Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to promote the petitioner as Head Constable w.e.f. 01.12.2012 when the juniors were promoted, without reference to the check period in the light of the full bench decision in the Deputy Inspector General of Police v. V.Rani reported in 2011 (4) MLJ 1 and by considering the petitioner's representation dated 01.03.2013 within the period that may be stipulated by this Court with all consequential benefits.

For Petitioner :M/s.Ajmal Associates

For Respondent :Mr.T.S.Md.Mohideen AGP

## ORDER

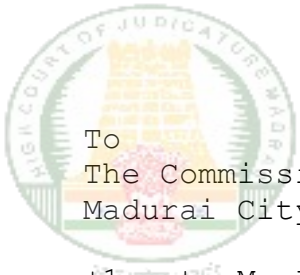
The petitioner was employed as a Grade II Police Constable on 01.11.1997. Thereafter, he was promoted as Grade I Police Constable on 01.12.2007 at Armed Reserve Police, Madurai City. On completion of 5 years of service as Grade I Police Constable, he is entitled to promotion for Head Constable from 01.12.2012.

2. In the meantime, the petitioner was imposed with the punishment of stoppage of increment for a period of one year without cumulative effect. The punishment period came to an end on 09.05.2004. Hence, as on 01.12.2012 there was no bar for promotion to the post of Head Constable. Since he was not promoted and his juniors were promoted, he made representation dated 01.03.2013 to the respondent. But, no order is passed on the representation so far. Hence, he has filed this writ petition.

3. In view of the above, the respondent is directed to dispose of the representation of the petitioner dated 01.03.2013, on merits and in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)



To  
The Commissioner of Police,  
Madurai City, Madurai District.

+1cc to Mr.Ajmal Associates, Advocate in Sr.16795  
+1cc to the Special Government Pleader in Sr.17086

W.P. (MD) .No.4767 of 2013  
28.03.2013

jikr  
pbk 05.04.2013 ::2p-4c: