

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24401 of 2015

N.Selvakumar

... Petitioner

Vs

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-4.

2. The Secretary to the Government,
Home Department,
Fort St. George, Chennai-9.

... Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of mandamus directing the first respondent to pass orders on the mercy petition submitted by the petitioner dated 22.03.2010 within a reasonable time.

For Petitioner : Mr.T.Ayngaraprabhu

For Respondents : Mr.S.Gunasekaran,
Government Advocate

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner joined the service as directly recruited Grade II Police Constable on 14.07.1980 and was placed in the District Armed Reserve, Salem District and was transferred to Law and Order Wing during the year 2009 and upgraded as Grade I Police Constable and promoted as Head Constable in the year 2000. The petitioner further submitted that he is also the recipient of the Chief Minister's medal for having completed 25 years of service and also have 45 rewards to his credit. The petitioner, while serving in

Perumbalai Outpost, was visited with a disciplinary proceedings in the form of charge memo under Rule 3 (b) of the Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules and after enquiry, he was imposed with a punishment of removal from service vide order dated 13.09.2009 passed by the Superintendent of Police, Dharmapuri District and the appeal preferred by him to the Deputy Inspector General of Police, Salem Range, has also ended in dismissal on 15.02.2010 and as against the said order, he filed a mercy petition dated 22.03.2010 before the first respondent and since it is yet to be disposed of, came forward to file the present writ petition.

3.Heard the submissions of Mr.T.Ayngaraprabhu, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate, who accepts notice on behalf of the respondents.

4.This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the first respondent to consider and dispose of the mercy petition dated 22.03.2010 in accordance with law and pass orders, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

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To

Sub Assistant Registrar

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-4.

2. The Secretary to the Government,
Home Department,
Fort St. George, Chennai-9.

+1cc to Mr.M.Muthappan, Advocate, S.R.No.41158
+1cc to the Government Pleader, S.R.No.41213

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KM(CO)
CA(24/08/2015)