

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25912 of 2015

And

M.P.No.1 of 2015

G.Parimala

... Petitioner

Vs.

1 The Superintendent of Police
Vellore District

2 The Director General of
Police Tamilnadu Chennai-4

3 The Secretary to Government
Home (Police II) Department Fort St. George
Chennai-9

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the 1st respondent in connection with the impugned order passed by him in No.H1(2)/PR.258/2006 dated 26.4.08 and confirmed by the 2nd respondent in RC No.25910/AP.2(2)/2010 dated 5.6.14 and quash the same and direct the respondents to reinstate the petitioner into service and grant her all consequential service and monetary benefits.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.V.Subbiah

Special Government Pleader

ORDER

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

2.The petitioner on an earlier occasion, was visited with disciplinary proceedings on account of her un-authorized absence/absence in duty and she was imposed with punishment of dismissal from service on 26.04.2008. It is the claim of the petitioner on account of domestic violence and ill-treatment placed by her in the hands of her husband, she was unable to attend the duty and in this regard, she has also submitted mercy petition before the second respondent on 25.11.2010 and it was rejected on 05.06.2014. The petitioner in this

regard, has submitted a memorial to the third respondent on 07.04.2015 and since no orders have been passed, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner has drawn the attention of this Court to the materials in the form of typed set of documents and would submit that the petitioner has suffered atrocity in the hands of her husband and unable to bear with the torture, she did not report duty for some time and in the light of the family circumstances, the third respondent may be directed to consider her request sympathetically and pass appropriate orders for reinstating in service.

4.Heard the submissions of Mr.M.Muthappan, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

5.Though the petitioner prayed for a larger relief of quashment of impugned orders, this Court is of the view that it would be suffice to direct the third respondent to consider and dispose of the petitioner's mercy petition/ memorial dated 07.04.2015 on merits and in accordance with law within a stipulated time.

6.Accordingly, the writ petition is disposed of and the third respondent is directed to consider and dispose of the petitioner's mercy petition/ memorial dated 07.04.2015 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1 The Superintendent of Police
Vellore District

2 The Director General of
Police Tamilnadu Chennai-4

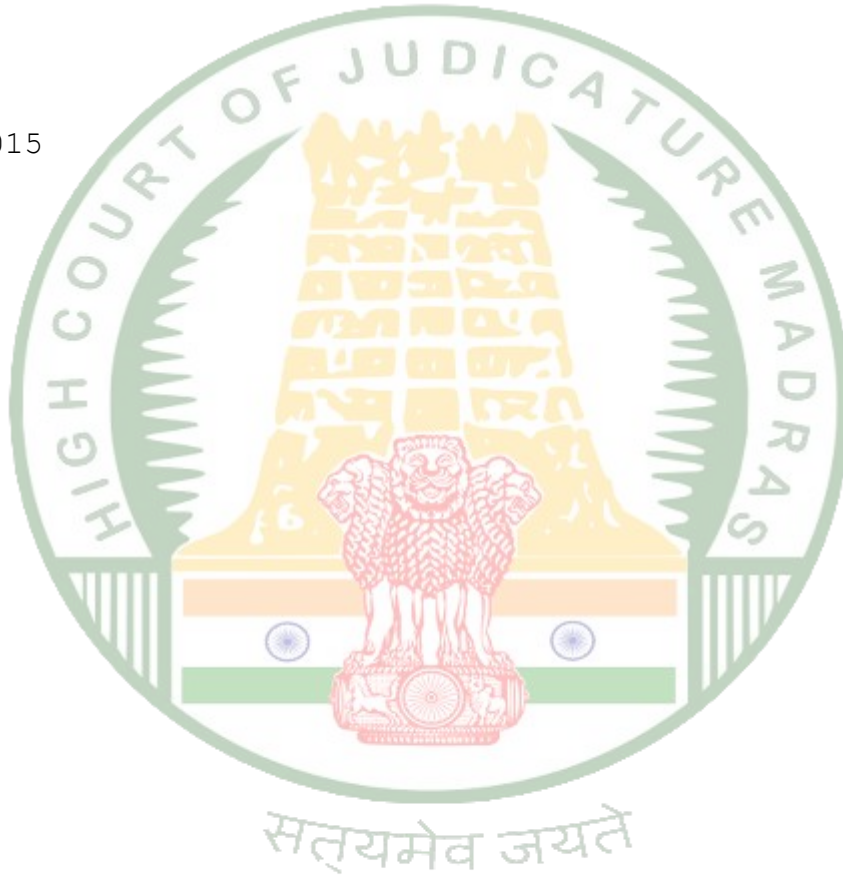
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3 The Secretary to Government
Home (Police II) Department Fort St. George
Chennai-9.

1 cc to Mr.M.Muthappan , Advocate Sr.No.44219
1 cc to Government Pleader.Sr.No.44453

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