

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29221 of 2015

A.Rajasekaran

... Petitioner

Vs.

- 1 The State of Tamilnadu rep. by  
its Secretary to Government Home Department  
Fort St.George Chennai-9.
  - 2 The Director General of Police  
Kamarajar Salai Mylapore Chennai-4.
  - 3 The Deputy Inspector General  
of Police Villupuram Range Villupuram.
  - 4 The Superintendent of Police  
District Police Office Cuddalore District.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the First Respondent to pass orders on the Mercy Petition submitted by the Petitioner dated 22.05.2014 regarding to set aside the order of Punishment of Postponement of Increment for 2 years without cumulative effect imposed by the Fourth Respondent and to grant promotion to the Petitioner as Special Sub Inspector of Police with effect from the date of completion of 25 years of service.

For Petitioner : Mr.V.Ravikumar  
For Respondents : Mr.V.Subbiah  
Special Government Pleader

O R D E R

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

2.The petitioner while working as Head Constable, was visited with a departmental proceeding in P.R.No.88/99 under Rule 3(a) of Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules and the fourth respondent has passed the order of punishment dated

13.05.1999, postponing the increment for a period of two years without cumulative effect. The petitioner aggrieved by the said order, filed an appeal before the second respondent and it was also dismissed on 20.12.1999. The petitioner has also submitted a mercy petition/ memorial to the first respondent on 22.05.2014 and since no orders have been passed, came forward to file this writ petition.

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

4. Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner either in this writ petition or in his mercy petition, directs the first respondent to consider and dispose of the petitioner's Mercy Petition dated 22.05.2014 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.

5. The writ petition is disposed of accordingly. No costs.

s/d-  
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

- 1 The Secretary to Government  
State of Tamil Nadu, Home Department  
Fort St. George Chennai-9.
- 2 The Director General of Police  
Kamarajar Salai Mylapore Chennai-4.
- 3 The Deputy Inspector General  
of Police Villupuram Range Villupuram.
- 4 The Superintendent of Police  
District Police Office Cuddalore District.

+ 1 cc to M/s.V.Ravikumar, Advocate SR 50582

+ 1 cc to Govt.Pleader, High Court, Madras SR 50934

rsk(co)  
prk5/10

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