

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.38841 of 2015

P.S.Shanmugasundaram

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PETITIONER

Vs

1. The Commissioner of Police,
Coimbatore City, Coimbatore.

2. The Deputy Commissioner of Police,
Head Quarters, Coimbatore City,
Coimbatore.

... RESPONDENTS

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pass orders on the representation dated 18.08.2014 followed by reminder dated 21.10.2015 on merits.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

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

2. The petitioner has filed the writ petition for issuance of writ of mandamus directing the respondents to pass orders on the representation dated 18.08.2014 followed by reminder dated 21.10.2015.

3. The case of the petitioner is that he joined the service of the respondent as Grade - II Constable on 16.03.1994 and thereafter, he was promoted as Grade -I NK MT in the year 2002. While so, a criminal case was registered against him in C.C.No.320 of 2004 on the allegation of causing death by negligence.

4. The petitioner would further state that he was dismissed from service, in view of the judgment passed by the criminal court dated 13.02.2007. The punishment was set aside by this

Court in W.P.No.2920 of 2008 and remanded for fresh consideration and thereafter, the punishment was modified to that of compulsory retirement. After acquittal from a criminal case, he was re-instated and he made a representation dated 18.08.2014 for upgradation. Since it was not considered, the present writ petition has been filed.

4. Heard Mr.L.Chandrakumar, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate, who accepts notice on behalf of the respondents.

5. This Court considering the submission of the learned counsel for the petitioner and without going into the merits of the case, directs the first respondent to consider and dispose of the representation of the petitioner dated 18.08.2014 and pass appropriate orders on merits and in accordance with law, 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.

This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

sms

-s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner of Police,
Coimbatore City, Coimbatore.
2. The Deputy Commissioner of Police,
Head Quarters, Coimbatore City,
Coimbatore.

+ 1 cc to Government Pleader SR 68777

+ 1 cc to Mr.L.Chandrakumar, Advocate SR 68702

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