

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2016

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.16216 of 2015

P.Dhakshinamurthy

.. Petitioner

Vs

1. The Deputy Commissioner of Police
Armed Reserve, 36th Platoon (F) COL
Chennai

2. The Director General of Police
Chennai City Police,
Directorate, Chennai -4

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorari filed mandamus to call for the records on the file of the first respondent in his proceedings Tha.Ko.En.22/Tha.b.3(2) 2014 dated 23.6.2014 and quash the same and direct the respondents to reinstate the petitioner in the post of Grade I Police Constable with all monetary and service benefits.

For petitioner : Mr.R.Singaravelan
Senior Counsel for Mrs.M.Srividhya
For Respondents: Mr.S.Gunasekaran
Additional Government Pleader

सत्यमेव जयते
O R D E R

This writ petition has been filed by Mr.P.Dhakshinamurthy, challenging the order passed by the first respondent dated 23.6.2014 in and by which, he was removed from service on the ground that he deserted the duty.

2. When the matter is taken up today, learned Additional Government Pleader by placing reliance on the counter affidavit filed by the first respondent submitted that the appeal dated 08.8.2014 preferred by the petitioner to the Director General of Police was treated as Mercy Petition as per rule and the same was rejected on merits.

3. In reply, learned counsel for the petitioner submitted that the petitioner has not received a copy of the said order till date. Therefore, he requested the Court to direct the respondents to furnish the rejection order made in appeal dated 08.8.2014.

4. Though the respondents have stated that the appeal preferred by the petitioner was rejected, it is not known on which ground the same was rejected. Any observation, if made, would have an effect on further appeal, if any. Therefore, without expressing any opinion on the merits of the matter, as the appeal filed by the petitioner has been rejected and the copy of the said order has not been served on the petitioner, the writ petition is disposed of with a direction to the first respondent to send a copy of the rejection order of the appeal by Registered Post to the petitioner's residential address, within a period of one week from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

The petitioner is at liberty to work out his remedy in the manner known to law.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Deputy Commissioner of Police
Armed Reserve, 36th Platoon (F) COL
Chennai

2. The Director General of Police
Chennai City Police,
Directorate, Chennai -4

+1 cc to Government Pleader sr.21254

+1 cc to Mrs.M.Srividhya Advocate sr.21440

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