

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2016

CORAM

THE HON'BLE MR. JUSTICE B.RAJENDRAN

WP.No.23554 of 2016

S.Panneer Selvam

.. Petitioner

Vs.

1.The Director General of Police
Kamarajar Salai
Mylapore
Chennai-4.

2.The Commissioner of Police
Chennai City.

3.The Additional Commissioner of Police
Head Quarters
Vepery
Chennai-600 007.

4.The Deputy Commissioner of Police
Armed Reserve
Greater Chennai Police.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the 3rd respondent to consider and dispose of the appeal petition within a stipulated time which was filed before him on 19.03.2016 by the petitioner and to pass such further orders as this Court may deem fit, proper in the circumstances of the case.

For Petitioner : Mr.A.Rajaram

For Respondents: Mr.A.Kumar
Special Government Pleader

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. The petitioner was appointed as Grade-II Police Constable in Armed Reserve, Greater Chennai Police, Chennai City, on 18.02.2013. He was placed under suspension by the 4th respondent w.e.f. 18.07.2014 for having committed the offence of theft of diesel from Government

vehicle for selling the same in black market. He was issued with a charge memo, on 17.12.2014. Subsequently, his suspension was revoked. In the departmental proceedings, the 4th respondent, by proceedings dated 02.03.2016, imposed punishment of "Postponement of his next increment for three years which shall operate to postpone his future increments". Against which, the petitioner has preferred an appeal before the 3rd respondent on 19.03.2016, but, till date there was no response and hence, the Writ Petition has been filed seeking to direct the 3rd respondent to dispose of the appeal filed by the petitioner on 19.03.2016.

3. Mr.A.Rajaram, the learned counsel for the petitioner would submit that the petitioner would be satisfied, if the 3rd respondent is directed to consider and dispose of the appeal filed by the petitioner, on 19.03.2016.

4. Mr.A.Kumar, the learned Special Government Pleader, who takes notice on behalf of the respondents, would submit that the 3rd respondent has no objection in considering the appeal filed by the petitioner and pass appropriate orders, in accordance with law.

5. Considering the limited scope of the prayer, this Court, without going into the merits of the claim made by the petitioner, directs the 3rd respondent to consider the appeal filed by the petitioner, on 19.03.2016, and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

6.The Writ Petition is disposed of accordingly. There shall be no order as to costs.

paa

Sd/-
Assistant Registrar (CS III)

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Sub-Assistant Registrar

To

1.The Director General of Police
Kamarajar Salai
Mylapore
Chennai-4.

2.The Commissioner of Police
Chennai City.

3.The Additional Commissioner of Police
Head Quarters
Vepery
Chennai-600 007.

4.The Deputy Commissioner of Police
Armed Reserve
Greater Chennai Police.

+1CC to MR.A.RAJARAM Advocate SR.NO.38299

+1CC to Govt. Pleader SR.NO.38540

W.P.No.23554/2016

TM [CO]
MK:02/08/2016



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