

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2016

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THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Writ Appeal No.961 of 2016

K.Sankaran ... Appellant/Petitioner

vs.

- 1.The State of Tamil Nadu
rep. by its Special Secretary,
Home (Pol.IX) Department,
Fort St. George,
Chennai- 600 009.
 - 2.The Director General of Police,
Mylapore, Chennai- 600 004.
 - 3.The Inspector General of Police,
(Armed Police), Kilpauk,
Chennai - 600 010.
 - 4.The Deputy Inspector General of Police,
(Armed Police), Kilpauk,
Chennai- 600 010.
 - 5.The Commandant,
Tamil Nadu Special Police,
II Battalion, Avadi,
Chennai- 600 054.
- ... Respondents/Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 26.04.2016 made in W.P.No.15447 of 2016 passed by the learned Single Judge of this Court.

WP.NO.15447 of 2016:Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the respondents pertaining to the order of the 5th respondent made in his proceedings in P.R. No.34/97 dt 13.10.1997 removing petitioner from the service confirmed by the 4th respondent in Na. Ka. No.B2/1657/98 dt 1.4.1998 subsequent to the order passed by 1st respondents G.O. (2D) No.408 dt 23.9.2009 re confirming the removal from service and quash the same and consequently direct the respondents to reinstate the petitioners

service with all attendant benefits on the basis of the petitioners representation dt 25.2.2015

For Appellant : Mr.R.Thanjan
For Respondents : Mr.P.S.Sivashanmugasundaram

JUDGMENT

(Order of the Court was made by HULUVADI G. RAMESH, J.)

This Writ Appeal is filed by the writ petitioner against the dismissal of the writ petition, challenging the order of removal dated 13.10.1997 passed by the fourth respondent herein, which was confirmed by both the Appellate Authority as well as the Revisional Authority.

2. Heard both sides and perused the materials placed before this Court.

3. A perusal of the order impugned herein would reveal that the learned Single Judge has dismissed the writ petition by observing as follows:

"When the order of removal of the petitioner from service has been confirmed by the Appellate Authority and the Revisional authority, by order dated 01.04.1998 and again confirmed in G.O.(2D) No.408 dated 23.09.2009, the petitioner was keeping quite for a long time and now, he has come to this Court with a huge unexplained delay. Therefore, this Court finds no merits in this case. Hence, the writ petition fails."

4. The decision of the learned Single Judge as extracted above, in our opinion, calls for no interference by this Court, as the case of the appellant has not been considered on the ground of inordinate delay and laches on the part of the appellant.

5. Accordingly, the writ appeal is dismissed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Special Secretary,
Home (Pol.IX) Department,
Fort St. George, Chennai- 600 009.

2.The Director General of Police,
Mylapore, Chennai- 600 004.

3.The Inspector General of Police,
(Armed Police), Kilpauk, Chennai - 600 010.

4.The Deputy Inspector General of Police,
(Armed Police), Kilpauk, Chennai- 600 010.

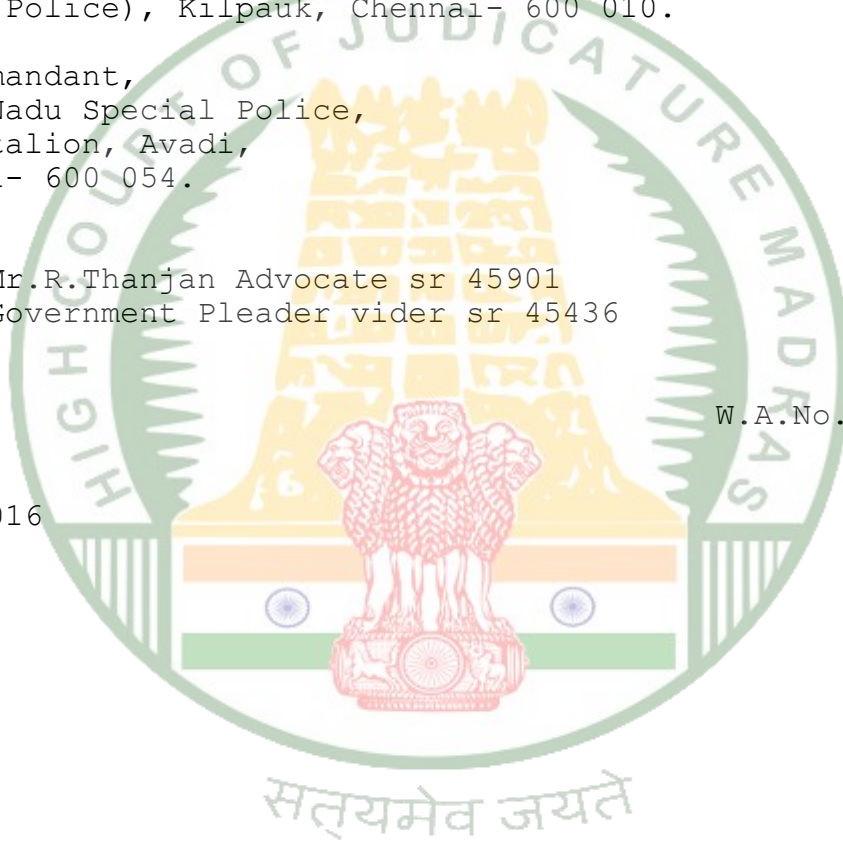
5.The Commandant,
Tamil Nadu Special Police,
II Battalion, Avadi,
Chennai- 600 054.

+1 cc to Mr.R.Thanjan Advocate sr 45901

+1 cc to Government Pleader vider sr 45436

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