



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD).No.10946 of 2016

N.Vincent

...Petitioner

Vs.

The Superintendent of Police,
Kanyakumari District,
Nagerkovil

...Respondent

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 24.02.2016.

For petitioner : Mr.J.Pooventhera Rajan

For respondent : Mrs.S.Bharathy

Government Advocate

ORDER

Mr.N.Vincent, after getting recruited directly to the post of Police Constable Grade-II in Tamil Nadu Police Department on 17.11.1988, a false criminal case was registered against the petitioner in Crime No.412 of 2001 on the file of the Pudukadai Police Station, Kanyakumari District and convicted under Section 294(b) of the Indian Penal Code and sentenced to pay a fine of Rs.500/- in default imprisonment for one week and also convicted under Section 323 of the Indian Penal Code (2 counts) and sentenced to pay a fine of Rs.1,000/- for each occurrence in default imprisonment for each three months by the Judicial Magistrate No.II, Kuzhithurai, Kanyakumari District in C.C.No.18/2002 vide his order, dated 10.03.2005. As against the order, he preferred an appeal before the Sessions Court, Nagerkovil, in C.A.No.105/2005 and the same was ordered on 24.10.2013 acquitting the petitioner from the criminal case. In the meanwhile, due to the conviction ended against him, he was dismissed from service as "Deserted from Service". Subsequently, the respondent reinstated the petitioner in service.

2. Learned Government Advocate appearing for the respondent would submit that the representation given by the petitioner would be considered.

3. Recording her submission, this Writ Petition is disposed of, with a direction to the respondent to dispose of the representation of the petitioner, dated 24.02.2016, on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.



4. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

WEB COPY

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To
The Superintendent of Police,
Kanyakumari District,
Nagerkovil.

+1cc to M/s.J.Pooventhera Rajan, Advocate in SR.32508
+1cc to the Special Government Pleader, in SR.32458

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22.06.2016

ssm

PBK/GSV-PM/SAR-II 23/06/2016 ::2P-4C:: (IT)