



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2016

C O R A M

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

Writ Petition (MD) No.17765 of 2016

C.Isaivani

.. Petitioner

Vs.

The Deputy Inspector General of Police,
Tiruchirappalli Range,
Tiruchirapalli.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondent to reinstate the Petitioner into service with all service and monetary benefits by revoking the order of suspension dated 10.08.02 in the light of the order of acquittal passed by the Learned Chief Judicial Magistrate Pudukkottai in Special C.C.No.07 of 2013 dated 18.12.2015 within a stipulated time.

For petitioner

... Mr.G.Thalaimutharasu

For Respondent

... Mr.S.Kumar

Additional Government Pleader

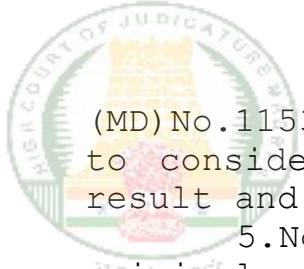
O R D E R

This is a Writ of Mandamus directing the Respondent to reinstate the Petitioner into service with all service and monetary benefits by revoking the order of suspension dated 10.08.02 in the light of the order of acquittal passed by the Learned Chief Judicial Magistrate, Pudukkottai in Special C.C.No.07 of 2013 dated 18.12.2015 within a stipulated time.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondent.

3.It is the case of the petitioner that he was appointed as Grade-I Police Constable on 15.04.1997 and thereafter, by way of direct recruitment, he was appointed as Sub Inspector of Police, on 18.01.2008. A case came to be registered under Sections 7 and 13(1)(d) r/w.13(2) of Prevention of Corruption Act, 1988. In view of the arrest and remand, he was placed under suspension invoking Rule 3(e) (1) (ii) of Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules, 1955, vide proceedings dated

4.The petitioner made several representations to the respondent to consider his case and in the writ petition in W.P.



(MD)No.11535 of 2014, this Court has also directed the authorities to consider the representation. That did not give any expected result and the said representations came to be rejected.

5.Now, it is the claim of the petitioner that from the criminal case, he has been exonerated from all the charges and in the Special C.C.No.7 of 2013, the learned Chief Judicial Magistrate, Pudukottai, has acquitted him from all the charges by the Judgment, dated 18.12.2015. Thereafter, a representation has been submitted to Deputy Superintendent of Police, dated 07.01.2016 to consider the representation on account of the acquittal. As it is pending consideration for the past eight months, this writ petition has been filed.

6.The learned Additional Government Pleader would submit that it is possible to consider the representation and to pass orders, within four weeks.

7.Accordingly, the respondent is directed to consider the representation of the petitioner, dated 18.12.2015 and pass orders within a period of four weeks from the date of receipt of a copy of this order.

8.The writ petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-II)

/true copy/

Sub Assistant Registrar

To

The Deputy Inspector General of Police,
Tiruchirappalli Range,
Tiruchirappalli.

+1cc to M/s.G.THALAIMUTHARASU, ADVOCATE SR.No. 53752

+1cc to the Special Govt.Pleader SR.No. 53945

rj2

JA-AAL-MPA-SAR-1-30.09.2016/2P:4C

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