



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.6654 of 2016

A.Samivel

...Petitioner

Vs.

1.The Director General of Police,
Law and Order,
Chennai 600 004.

2.The Commandant,
I Battalion,
Tamil Nadu Special Police,
Trichy 620 012.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent herein to consider and pass orders on the petitioner s representation dated 24.01.2012 regarding reinstatement into service in the light of the order of acquittal dated 16.08.2011 in Crl.A.No.625/2005 by the Honourable Madurai Bench of Madras High Court within a time frame fixed by this Honourable Court.

For Petitioner
For Respondents

: Mr.C.Jeyaprakash
: Mrs.S.Bharathi,
Government Advocate.

ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus, to direct the first respondent to consider and pass appropriate orders on the representation dated 24.01.2012. The direction sought for is with respect to the reinstatement of the petitioner into service in the light of the order of acquittal dated 16.08.2011 in Crl.A.(MD)No.625 of 2005.

2.Learned Government Advocate appearing for the respondents submits that he was dismissed from service as early as on 26.09.2006 and according to the respondents, the said order has not yet been challenged.

3.Learned counsel appearing for the petitioner is not able to state whether the said order of dismissal was challenged earlier or not.

4.Be that as it may, after his acquittal in the criminal proceedings on 16.08.2011, he has given a representation on 24.01.2012 to consider his reinstatement by setting aside the order of dismissal. After that, till today no steps have been taken by the petitioner. However, the petitioner has moved this Court after a lapse of four years, to consider his representation which was given in the year 2012 which is not permissible. If the petitioner has already challenged the order of dismissal, presently, it is open to him to continue with the same.



5.As there is no merit in the writ petition, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(T&P)

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

To

1.The Director General of Police,
Law and Order,
Chennai 600 004.

2.The Commandant,
I Battalion,
Tamil Nadu Special Police,
Trichy 620 012.

+1cc to M/s.Jeyaprakash, Advocate in SR.19108

+1cc to the Special Government Pleader, in SR.19288

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sms

PBK/SK-SKN 20/04/2016 ::2P-5C::