

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.5486 of 2017

A.Jothiraman

..Petitioner

Versus

1. The Director General of Police,
Tamil Nadu,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.
2. The Inspector General of Police,
(Formerly Crime and Currently SCRB),
State Crime Records Bureau,
Chennai - 600 028.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st respondent to pass orders on the Appeal Petition submitted by the Petitioner dated 31.05.2004 followed by reminders and last reminder on 26.08.2011 and to revoke the order of termination passed by the 2nd Respondent in C.No.D2/SCRB/816/2004 dated 26.04.2004 and to reinstate the Petitioner into service with all consequential and other attendant benefits, within a time frame to be fixed by this Hon'ble Court.

For Petitioner :Mr.A.Maheshnath

For Respondents :Mr.S.Gunasekaran
Additional Government Pleader
for R1 and R2

O R D E R

The writ petitioner was holding the post of Sub-Inspector of Police on account of the disciplinary proceedings initiated against him. He was placed under suspension on 29th May, 2000.

A charge memo was issued on 2nd March, 2002. After conducting an enquiry into the allegations, the writ petitioner was terminated from service on 26th April, 2004. Against the order of termination, the writ petitioner preferred an appeal to the 1st respondent on 31st May, 2004. Though, the statutory appeal was filed in the year 2004, no order has been passed on the appeal till today.

2. The learned counsel for the writ petitioner submitted that on 28th September, 2005, and on 26th August, 2011, the writ petitioner has sent reminders and still, the appeal is not taken up for adjudication.

3. Thus, without going into the merits and demerits of the case of the writ petitioner, a direction is issued to the 1st respondent to consider the appeal filed by the writ petitioner on 31st May, 2004 and pass final orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose a copy of the appeal and further representations along with a copy of the order passed in this writ petition.

4. Accordingly, the writ petition stands disposed of. However, there is no order as to costs.

Sd/-

Asst.Registrar (CS VI)

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Sub Asst. Registrar

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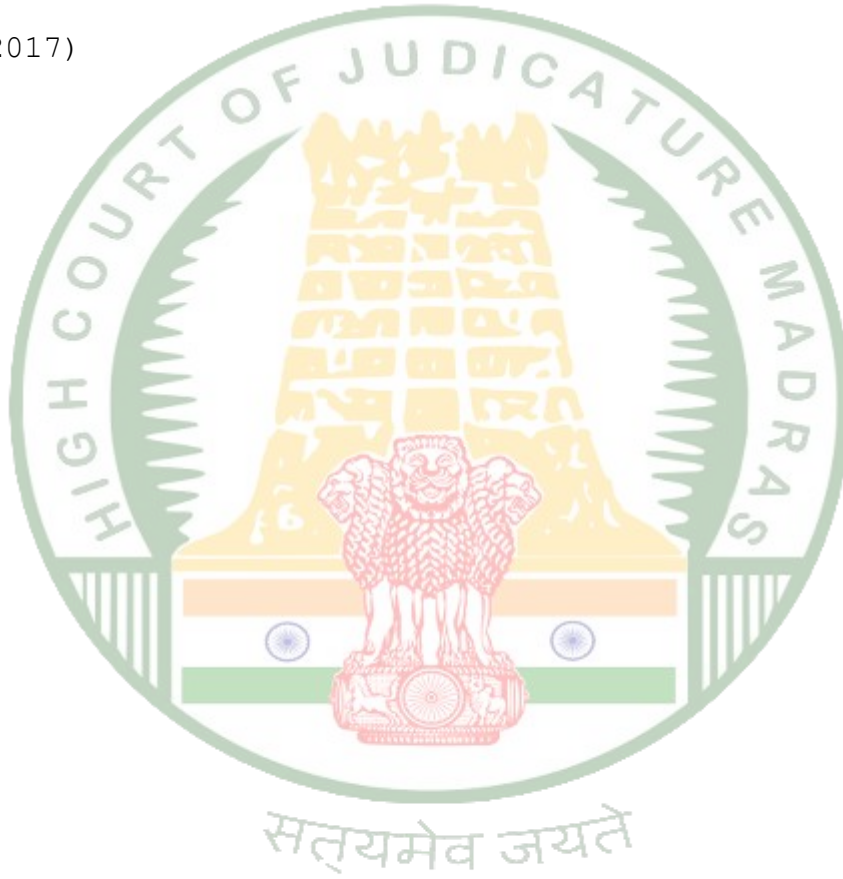
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+1cc to Government Pleader Sr. 54571

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VR(01/09/2017)



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