

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.5545 of 2017

X.George William

.. Petitioner

-vs-

- 1.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai - 600 004.
 - 2.The Additional Director General of
Police (L&O),
Kamarajar Salai,
Mylapore, Chennai - 600 004.
 - 3.The Deputy Inspector General of Police,
Coimbatore Range, Coimbatore.
 - 4.The Superintendent of Police,
Coimbatore District, Coimbatore.
- Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 2nd respondent to consider and dispose the mercy petition to cancel the punishment of compulsory retirement imposed by the 4th respondent and reinstate the petitioner in his earlier service and on the basis of the petitioner's representation (Mercy Petition) dated 01.12.2015.

For Petitioner : Mr.A.Rajaram

For Respondents : Mr.T.M.Pappiah
Special Government Pleader

O R D E R

This writ petition has been filed seeking a limited prayer for issuance of writ of Mandamus, directing the Additional Director General of Police (L&O), Mylapore, Chennai, the second respondent herein to dispose of the mercy petition seeking cancellation of punishment of compulsory retirement imposed by the 4th respondent and for the consequential order to reinstate

the petitioner in service on the basis of the mercy petition dated 01.12.2015.

2.The petitioner was imposed with the punishment of compulsory retirement by order dated 11.07.2015 by the Superintendent of Police, the 4th respondent herein. Aggrieved by the same, an appeal was made before the Deputy Inspector General of Police, Coimbatore Range, the 3rd respondent herein, to cancel the punishment of compulsory retirement imposed on the petitioner by the 4th respondent. But the same was rejected in Na.Ka.Na.J3/41755/2015 dated 26.10.2015 as the time for considering the appeal was over, however, the petitioner was directed to file a mercy petition before the second respondent, viz., Additional Director General of Police. Thereafter, the petitioner said to have filed a mercy petition before the second respondent to cancel the punishment of compulsory retirement imposed by the 4th respondent. Since the same has not been considered, the petitioner is before this Court.

3.Heard the learned counsel appearing for the petitioner. Mr.T.M.Pappiah, learned Special Government Pleader takes notice on behalf of the respondents.

4.All though, mercy petition appears to have been filed by the petitioner on 01.12.2015, no proof for filing the mercy petition before the second respondent has been enclosed before this Court. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition fails and the same is dismissed. However, there is no order as to costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai - 600 004.

2.The Additional Director General of Police (L&O),
Kamarajar Salai,
Mylapore, Chennai - 600 004.

3.The Deputy Inspector General of Police,
Coimbatore Range, Coimbatore.

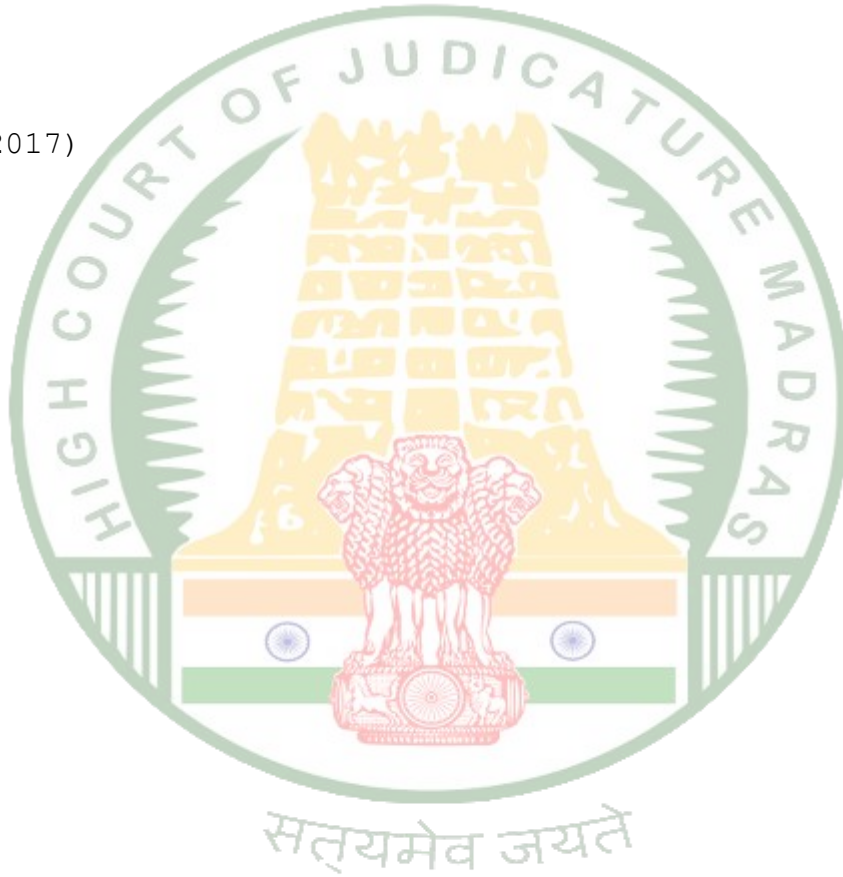
4.The Superintendent of Police,
Coimbatore District, Coimbatore.

+1cc to M/S.A. Rajaram, Advocate Sr. 14522

+1cc to the Government Pleader Sr. 14732

W.P. No.5545 of 2017

SCD(CO)
VR(03/04/2017)



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