

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3090/2017

G.Murugaiyan

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Petitioner

Vs

1. The Director General of Police
Chennai.

2. The Superintendent of Police
Cuddalore District, Cuddalore.

..

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 2nd respondent to consider the representation dated 26.11.2015 made by the petitioner and to pass orders in accordance with law.

For Petitioner : Mr.A.Prabhakaran

For Respondents : Mr.P.Senthilvel,
Government Advocate

ORDER

By consent, the writ petition is taken up for final disposal. Mr.P.Senthilvel, learned Government Advocate accepts notice on behalf of the respondents.

2 The petitioner, while working as Special Sub Inspector of Police, attached to Orathur Police Station, Cuddalore District, was visited with disciplinary proceedings in the form of charge memo under Rule 3[b] of the Tamil Nadu Police Subordinate Services [Discipline and Appeal] Rules, 1955, on the ground of desertion / unauthorised absence and he was imposed with a punishment of reduction in time scale of pay by one stage for one year without cumulative effect, vide proceedings of the 2nd respondent dated 01.05.1998 and the appeal and review petitions were also rejected. Subsequently, the petitioner submitted a mercy petition to the 1st respondent and vide proceedings dated 28.12.2006, the said punishment was cancelled. The grievance expressed by the petitioner is that the reduction effected on account of the original impugned order of punishment

has not been repaid and in this regard, the petitioner also submitted a representation dated 26.11.2015 to the 2nd respondent through proper channel, praying for regularisation of the desertion period as duty period and to disburse the pay already deducted and despite receipt and acknowledgment, no orders have been passed and therefore, the petitioner came forward to file the present writ petition.

3 Heard the learned counsel appearing for the petitioner and MR.P.Senthilvel, learned Government Advocate appearing for the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 26.11.2015 on merits and in accordance with law, and pass orders within a further period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5 The writ petition stands disposed of with the above direction. No costs.

s/d-
Assistant Registrar(CCC)

//True Copy//

Sub-Assistant Registrar

To

1. The Director General of Police
Chennai.
2. The Superintendent of Police
Cuddalore District, Cuddalore.

+1 CC to Mr. A. Prabhakaran, Advocate sr 8071

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LRS(CO)
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