

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.32764 of 2017

T.Kumaresan

.. Petitioner

-vs-

1. The Director General of Police
Police Head Quarters
Chennai
2. The Deputy Inspector General of Police
Salem Range
Salem
3. The Superintendent of Police
Namakkal District .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent No.3 to consider the representation of the petitioner dated 15.10.2017 by placing him in the original seniority list of 1993 with monetary benefit.

For Petitioner :: Mr.M.T.Arunan

For Respondents:: Mr.R.A.S.Senthilvel
Additional Government Pleader

ORDER

This writ petition has been filed by Mr.T.Kumaresan, who is presently working as Head Constable in Elachipalayam Police Station, Namakkal District, seeking a direction to the Superintendent of Police, Namakkal District to consider his representation.

2. Learned counsel for the petitioner submitted that the petitioner was suspended on 9.1.2008 under Rule 3(e)(i)(ii) of the Tamil Nadu Police Subordinate Service (Discipline & Appeal) Rules, in view of the registration of a criminal case in Crime No.317 of 2007 for the offence under Sections 341, 323 of IPC read with Section 4(1)(i) of the Tamil Nadu Prohibition Act. Subsequently, the criminal case ended in acquittal by an order passed by the learned Judicial Magistrate No.I, Namakkal in

C.C.No.620 of 2009 on 25.8.2009. Simultaneously, departmental proceedings were initiated and he suffered a punishment of reduction in the time scale of pay by one stage for two years without cumulative effect by the order dated 2.6.2009 passed by the third respondent. As against that, the petitioner has given his appeal/representation and the same has not been considered. Hence, he has come to this Court seeking early disposal.

3. The learned Additional Government Pleader, taking notice on behalf of the respondents, sought sufficient time to consider and dispose of the pending representation of the petitioner on merits.

4. Placing on record his request for granting sufficient time, this Court directs the respondents to consider and dispose of the representation of the petitioner on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Deputy Registrar

/true copy/

Sub Asst. Registrar

ss

To

1. The Director General of Police
Police Head Quarters
Chennai
 2. The Deputy Inspector General of Police
Salem Range
Salem
 3. The Superintendent of Police
Namakkal District
- + 1 cc to M/s.M.T.Arunan, Advocate, SR.89545
+ 1 cc to The Govt.Pleader, SR.90617

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nr 08/01/2018