

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 05.06.2018
CORAM:
THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI
W.P.No.10100 of 2018 &
MP Nos.12059 & 12060 of 2018

I.Kader Batcha

.. Petitioner

Vs

1.The Director General of Police,
State of Tamil Nadu,
Dr. Radhakrishnan Salai,
Mylapore,
Chennai-600 004.

2.The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the proceedings of the first respondent in C.No. Con.V (2) 95027/2017 dated 29.06.2017 and quash the same as illegal, incompetent and ultravires and consequently direct the respondents to reinstate the petitioner to the post of Deputy Superintendent of Police, District Crime Branch, Thiruvallur by considering his representation dated 02.04.2018 and for consequential orders.

For Petitioner :Mr.R.Singaravelan, SC for
M/s.R.Jayaprakash

For RR1 & 2 :Mr.N.Srinivasan, A.G.P.

ORDER

This writ petition has been filed with a prayer to quash the order of suspension issued against the petitioner vide order No. C.No. Con.V (2) 95027/2017 dated 29.06.2017 of the first respondent inasmuch as the same is not a terminated one and his representation dated 02.04.2018 in this regard has not been considered though he is already under suspension for nearly one year.

2. Heard Mr.R.Singaravelan, for M/s.R.Jayaprakash, learned counsel for the petitioner and Mr.N.Srinivasan, learned Additional Government Pleader for the respondents.

3. However, when this writ petition is taken up for 'notice regarding admission', the learned counsel for the petitioner submits that in view of the limited prayer sought for by the petitioner, the present writ petition may be disposed of, in light of the law laid down in the case of

Ajay Kumar Choudhary Vs. Union of India and another (2015) 7 SCC 291).

4. Mr.N.Srinivasan, the learned Additional Government Pleader has submitted that if such representation of the petitioner is pending, the same may be considered and disposed of within a stipulated period in accordance with law as per the direction of this Court.

5. Considering the above facts and the submissions made by the learned counsel on either side and without going into the merits of the case, this writ petition is disposed of, with a direction to the first respondent to consider the representation of the petitioner dated 02.04.2018 in light of the law laid down in the case of Ajay Kumar Choudhary Vs. Union of India and another (2015) 7 SCC 291 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The Director General of Police,
State of Tamil Nadu,
Dr. Radhakrishnan Salai,
Mylapore,
Chennai-600 004.

2.The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

+1cc to Government Pleader SR.No.34996

+1cc to Mr.R.Jeyaprakash, Advocate Sr.No.34872

sm:12.6.2018

W.P.No.10100 of 2018