

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2018

CORAM :

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.14910 of 2018

S.Mahadevan

...Petitioner

Vs.

The Director General of Police,
Chennai 600 004

....Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent herein to consider and pass orders on merits and in accordance with law on the representation of the petitioner dated 22.08.2016 with regard to reinstatement into service, as done in the case of one Mr.K.Sakthivel, Ex.PC 17297 of Armed Reserve, Greater Chennai Police, in G.O.(2D). No.246 Home (Police-5) Department dated 24.07.2015 within a time frame.

For Petitioner : M/s.G.Bala and Daisy

For Respondents : Mr.V.Kathirvelu
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for a direction to the respondent herein to consider and pass orders on merits and in accordance with law on the representation of the petitioner dated 22.08.2016 with regard to reinstatement into service, as done in the case of one Mr.K.Sakthivel, Ex.PC 17297 of Armed Reserve, Greater Chennai Police, in G.O.(2D). No.246 Home (Police-5) Department dated 24.07.2015 within a time frame.

2. Mr.V.Kathirvelu, learned Special Government Pleader accepts notice on behalf of the respondent.

3. By consent of both sides, this Writ Petition is taken up and disposed of at the stage of admission itself.

4. Heard the learned counsel for the petitioner as well as learned counsel who accepts notice on behalf of the respondent.

5. The grievance of the petitioner is that while he was working as a constable in B-1, North Beach Traffic Police Station, Chennai city Police was dismissed from service for being deserter, against which he preferred an appeal. The appeal having already been dismissed he has now filed the representation dated 22.08.2018, before the respondent, under Rule 15 A (2) (iii) of the Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules. But, till date no orders have been passed on the said representation. Hence, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

6. Considering the nature of relief sought for by the petitioner, this Court is of the view that no useful purpose would be served in seeking counter affidavit from the respondent.

7. Hence, regard being had to the facts and circumstances of the case and also considering the submissions made by the learned counsel appearing on either side, this Writ Petition is disposed of with a direction to the respondent to take an informed and considered decision on the representation of the petitioner dated 22.08.2016, if the same is pending, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, if there is no other legal impediment. However, it is made clear that if the order of the appellate authority has been challenged in this Court or any previous order has been passed by this Court or Government, the respondent may take the same into consideration and pass necessary orders. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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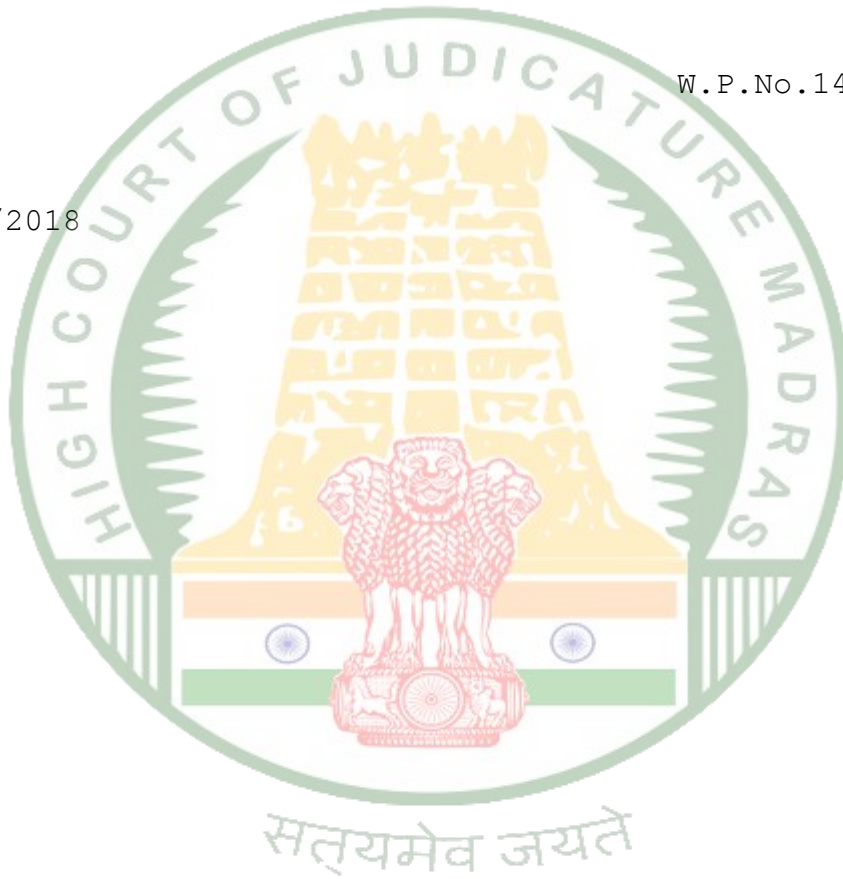
To

The Director General of Police,
Chennai 600 004.

+1cc to M/S.G.Bala and Daisy, Advocate Sr.38528
+1cc to the Government Pleader Sr.39127

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mr[co]
srg 16/07/2018



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