

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2018

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THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.No.15520 of 2012

T.Ravichandran

... Petitioner

Vs

The Director General of Police,  
Dr. Radhakrishnan Salai,  
Mylapore, Chennai-600 004. ... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to pass orders on the mercy petition submitted by the petitioner dated 20.12.2011 to set-aside the punishment within a reasonable time and grant such other further relief as this Court may deem fit in the circumstances of the case.

For Petitioner : Mr.T.Ayengaraprabhu  
for M/s.Muthappan

For Respondents : Mr.T.M.Pappiah  
Spl. Govt. Pleader

ORDER

The petitioner has approached this Court, seeking the following relief:-

"To issue a Writ of Mandamus, directing the respondent to pass orders on the mercy petition submitted by the petitioner dated 20.12.2011 to set-aside the punishment within a reasonable time and grant such other further relief as this Court may deem fit in the circumstances of the case."

2. The petitioner was appointed as Grade II Police Constable by the Tamil Nadu Uniformed Services Recruitment Board in the year 1994. Subsequently, he was promoted as Havildar in the year 1997. He has earned more than 50 rewards for his meritorious service and he had not come to adverse notice through out his career. While serving in the Force, he was served with a charge memo under Rule 3(b) of Tamilnadu Police Subordinate Service (Discipline & Appeal) Rules, 1955. An enquiry was conducted into charges and on conclusion of the enquiry, on the basis of the enquiry report, the disciplinary authority imposed the punishment of removal from service of the petitioner by order dated 22.05.2001.

3. The prayer sought for in the writ petition is to direct the respondent to dispose of the Mercy Petition submitted by the petitioner on 20.12.2011. After notice, Mr.T.M.Pappiah, the learned Special Government Pleader entered appearance on behalf of the respondent and filed a counter affidavit.

4. In the counter affidavit, it is stated that the Mercy Petition was rejected by the respondent herein by proceedings dated 19.04.2004.

5. In view of the disposal of the Mercy Petition, nothing survives for consideration before this Court in the present writ petition. Therefore, the writ petition dismissed. However, the petitioner is given liberty to challenge the proceedings of the respondent, if he is so advised. No costs.

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Sd/-  
Assistant Registrar (CSVIII)  
/TRUE COPY/

Sub-Assistant Registrar

To

The Director General of Police,  
Dr. Radhakrishnan Salai,  
Mylapore, Chennai-600 004.

+1CC to M/S.MUTHAPPAN Advocate SR.NO.16508  
+1CC to The Govt Pleader SR.NO.16710

W.P.No.15520 of 2012

EV[CO]  
MK:26/03/2018

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