

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.456 of 2019

S.Ranganathan
Special Sub-Inspector of Police,
under compulsory retirement,
No.12/B, Rathnavel Nagar,
Kondiyar Illyam, Beach Road,
Cuddalore - 607 001.

...Petitioner

vs.

The Director General of Police,
Law and Order,
Chennai - 600 004.

...Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Mandamus, directing the respondent herein to consider and pass orders on merits and in accordance with law on the Review petition of the petitioner dated 10.12.2018 with regard to cancellation of punishment of Compulsory retirement and reinstatement into service, within a time-frame as deem fit and proper by this Court.

For Petitioner : Mr.G.Bala and Daisy
For Respondent : Mr.R.S.Selvam
Government Advocate

ORDER

The Writ Petition has been filed by the petitioner seeking direction to direct the respondent herein to consider and pass orders on merits and in accordance with law on the Review petition of the petitioner dated 10.12.2018 with regard to cancellation of punishment of Compulsory retirement and reinstatement into service, within a time-frame as deem fit and proper by this Court.

2.The case of the petitioner is that the petitioner joined the Police Services as Grade II Police Constable in the year 1987 and he was promoted as Grade I Police Constable and Head Constable. Further, he was promoted as Special Sub-Inspector. After 31 years of service in the Department, at the time of

retirement, he was served with a charge memo for having involved in a criminal case in Crime No.692/2015 on the file of the Cuddalore New Town Police Station under Sections 406 and 420 IPC, on the complainant of one Mrs.Subhashree Sasikala Devi, a practising Advocate at Cuddalore District. After conducting enquiry, the enquiry office had strangely held the charges against the petitioner is proved and imposed a punishment of compulsory retirement from service on 30.10.2018.

3.Aggrrieved by the said order of removal, the petitioner preferred an appeal to the Deputy Inspector General of Police, Villupuram Range, Villupuram and prayed for cancellation of punishment and reinstatement, the petitioner appeal was rejected on 04.12.2018.

4.Aggrrieved by the said rejection, the petitioner has submitted a review application to the Director General of Police on 10.12.2018. However, the same was not considered till date.

5.The learned counsel for the petitioner would submit that it would suffice if this Court issues direction to the respondent to consider the review application submitted by the petitioner and to dispose of the same within a specified time.

6.Without going into the merits of the case, I am inclined to issue direction to direct the respondent to consider the petitioner's review application and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

7.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

pam
To

The Director General of Police,
Law and Order, Chennai - 600 004.

+1cc to Mr.G.Bala and Daisy, Advocate, S.R.No.77561
+1cc to the Government Pleader, S.R.No.77774

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PPA(CO)
CS/30/10/2019