



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.18728 of 2019

M.Kottaichamy

... Petitioner

Vs.

1.The Director General of Police,
Mylapore,
Chennai - 600 004.

2.The Deputy Inspector General of Police,
Ramanathapuram Range,
Ramanathapuram.

3.The Superintendent of Police,
Sivagangai District,
Sivagangai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the first respondent *i.e.*, the Director General of Police, Chennai, to pass appropriate orders on the petitioner's Mercy Petition, dated 19.07.2019, based on the acquittal ordered by the District Court in S.C.No.3 of 2019, dated 30.04.2019, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

ORDER

The petitioner has come up with the present Writ Petition for a Mandamus, directing the first respondent *i.e.*, the Director General of Police, Chennai, to pass appropriate orders on the petitioner's Mercy Petition, dated 19.07.2019, based on the acquittal ordered by the District Court in S.C.No.3 of 2019, dated 30.04.2019, within a specified time frame that may be fixed by this Court.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents. By consent of both parties, the writ petition is taken up for final disposal at the stage of



admission itself.

3. According to the petitioner, he was appointed as Junior Assistant under compassionate ground on 23.04.2006 and lastly, he was serving as Junior Assistant in the Office of the Superintendent of Police, Sivagangai. Based on the Criminal Case in Crime No.21 of 2008 registered against him, the third respondent dismissed the petitioner from service, vide his proceedings dated 15.06.2016. Thereafter, the petitioner preferred an appeal to the second respondent herein against the above said dismissal order dated 15.06.2016. The second respondent also confirmed the order of dismissal. Subsequently, the petitioner was acquitted by the District Court, Sivagangai, vide order dated 30.04.2019, made in S.C.No.3 of 2019. Based on the said order of acquittal, the petitioner preferred a Mercy Petition for his reinstatement to the first respondent on 19.07.2019 and the same is still pending. Hence, the present Writ Petition.

4. Considering the limited scope of the matter, without expressing any opinion on the merits of the claim made by the petitioner, this Court directs the first respondent to consider the petitioner's Mercy Petition dated 19.07.2019 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.

5. The Writ Petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Director General of Police,
Mylapore,
Chennai - 600 004.

2. The Deputy Inspector General of Police,
Ramanathapuram Range,
Ramanathapuram.



3.The Superintendent of Police,
Sivagangai District,
Sivagangai.

+1 CC to M/s.S.VISVALINGAM, Advocate (SR-84103[F] dated
29/08/2019)

+1 CC to M/s.SPL GP (SR-84605[F] dated 30/08/2019)

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