

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.2306 of 2020

and

WMP No.2677 of 2020

N. Murugan

... Petitioner

-Vs-

1. The Deputy Commissioner of Police
Modern Control Room
Greater Chennai Police, Chennai.

2. The Commissioner of Police
Greater Chennai Police
Vepery, Chennai 7

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus or any other appropriate Writ or Order or Direction in the nature of a Writ, calling for the records of the first respondent in connection with the impugned order passed by in in PR No.251/PR IV(2)/2013 dated 23.12.2015 and confirmed by the second respondent in PR No.251/PR IV(2)/2013 dated 04.03.2017 and quash the same and direct the respondents to reinstate the petitioner into service and grant him all consequential service and monetary benefits.

For Petitioner : Mr. M. Muthappan

For Respondents : Mr. S.N. Parthasarathi
Government Advocate

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 23.12.2015 removing the petitioner from service and the subsequent confirmation order passed by the second respondent by his proceedings dated 04.03.2017.

2. The learned counsel for the petitioner submitted that after the orders were passed by the first and second

respondents, the criminal case that was pending against the petitioner and others ended in acquittal by the judgement passed by the VI Additional Judge, Chennai in S.C.No. 382 of 2014. The learned counsel submitted that pursuant to the petitioner being acquitted from the criminal case, the petitioner made a representation to the respondents to set aside the order of removal from service and reinstate the petitioner into service. According to the petitioner, the Deputy Commissioner of Police, while issuing the impugned order, had stated that the petitioner has been removed from service without prejudice to the outcome of the Criminal case. Therefore, on the completion of the Criminal case, the petitioner has made a representation to the respondents to revoke the order of removal and to reinstate him into service. Since the said representation was not considered, the present Writ Petition has been filed before this Court.

3. Heard Mr. M. Muthappan, learned counsel for the petitioner and Mr. S.N. Parthasarathi, learned counsel for the respondents.

4. Considering the limited relief that has been sought for in this Writ Petition, there shall be a direction to the respondents to consider the representation made by the petitioner on 06.08.2019 and pass appropriate orders strictly in accordance with law within a period of eight weeks from the date of receipt of copy of this order.

5. The petitioner is directed to make a fresh representation to the respondents along with a copy of the representation dated 06.08.2019 and a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (J)

//True Copy//

Sub Assistant Registrar

bga

To

1. The Deputy Commissioner of Police
Modern Control Room
Greater Chennai Police, Chennai.

2. The Commissioner of Police
Greater Chennai Police
Vepery, Chennai 7

+1cc to Mr.M.Muthappan, Advocate, S.R.No. 7973
+1cc to the Government Pleader, S.R.No. 8088

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GN (28/02/2020)



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