

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.3040 of 2020

A.Rajeshkumar

... Petitioner

-Vs-

1. The Deputy Inspector General of Police,
Range CRPF, Chandaui,
Chandra Mohan Nagar, Nuwan,
DAFI (Po), Varanasi - (Dist)
2. The Deputy Inspector General of Police,
Group Centre,
CRPF, Avadi,
Chennai - 65.
3. The Deputy Inspector General of Police,
Group Centre, CRPF, Chandouali,
C.T.Road, Dulhipur Post,
Uttarpradesh.
4. The Commandant,
230 BN, CRPF, Bachel, 
Dantewada, Chhattisgarh ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to dispose of the appeal dated 27.11.2019 against the order of dismissal from service.

For Petitioner : Mr.V.Elangovan
For Respondents : Mr.N.Ramesh,
SPC

ORDER

This Writ Petition has been filed for the issue of writ of Mandamus, directing the 1st respondent to dispose of the appeal filed by the petitioner on 27.11.2019, against the order of dismissal passed by the 4th respondent.

2. The case of the petitioner is that he was working in the Central Reserve Police Force (CRPF) as a Constable. There was some matrimonial dispute between the petitioner and his wife. A divorce petition also came to be filed along with maintenance case. Therefore, according to the petitioner, he was taking care of his son and his aged mother. The 4th respondent initiated disciplinary proceedings against the petitioner on the ground that the petitioner has unauthorizedly absented himself and habitually overstays sanctioned leave. The petitioner gave his explanation and the 4th respondent after considering the report and also the explanation given by the petitioner, proceeded to pass an order on 15.06.2018, dismissing the petitioner from service. The petitioner aggrieved by the same, filed an appeal before the 1st respondent on 27.11.2019. Since the same is kept pending, the present writ petition has been filed before this Court.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to consider the Appeal filed by the petitioner on 27.11.2019 and dispose of the same on its own merits and in accordance with law, within a period of three months from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with copy of the Appeal filed on 27.11.2019 and also a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

rka

To

1. The Deputy Inspector general of Police,
Range CRPF, Chandaui,
Chandra Mohan Nagar, Nuwan,
DAFI (Po), Varanasi - (Dist)

2. The Deputy Inspector General of Police,
Group Centre,
CRPF, Avadi,
Chennai - 65.

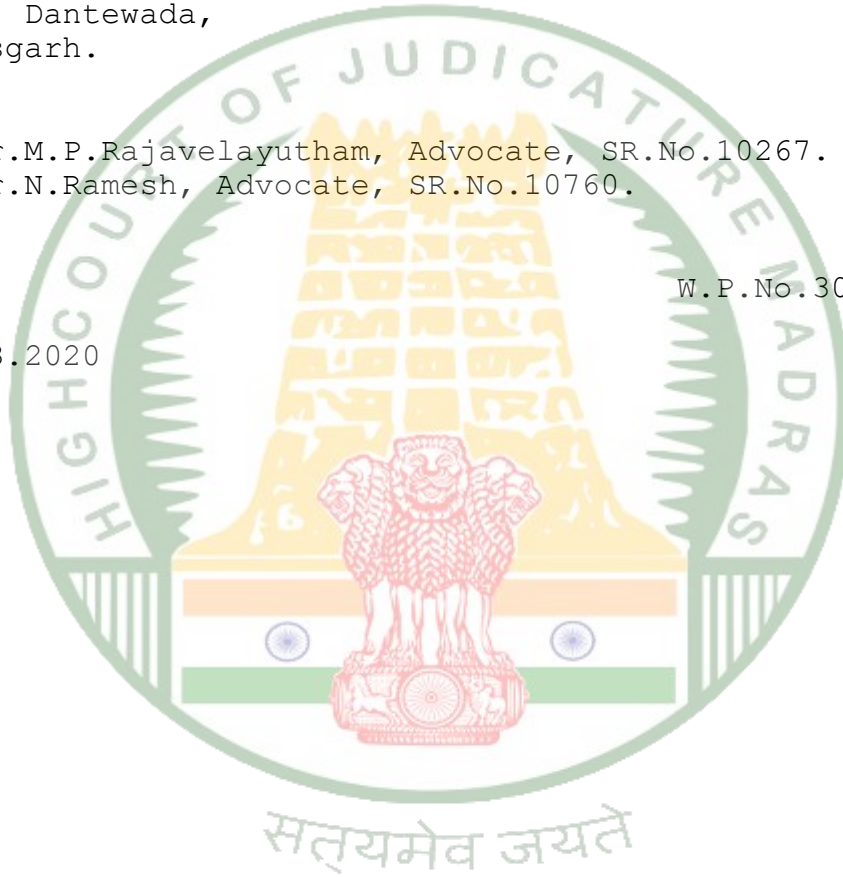
3. The Deputy Inspector General of Police,
Group Centre, CRPF, Chandouali,
C.T.Road, Dulhipur Post,
Uttarpradesh.

4. The Commandant,
230 BN, CRPF,
Bacheli, Dantewada,
Chhattisgarh.

+1cc to Mr.M.P.Rajavelayutham, Advocate, SR.No.10267.
+1cc to Mr.N.Ramesh, Advocate, SR.No.10760.

W.P.No.3040 of 2020

VBA(CO)
CSR: 03.03.2020



WEB COPY