

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.4191 of 2021

P.A.Appasamy

... Petitioner

Vs

1.The Director General of Police,  
Mylapore, Chennai - 600004.

2.The Additional Director General of Police,  
Chennai Suburban Police,  
Chennai - 600 016.

3.The Joint Commissioner of Police,  
Southern Zone,  
Punitha Thommaiylar Malai,  
Chennai - 600 016.

4.The Deputy Commissioner of Police,  
Madhavaram Police District,  
Chennai - 600 057.

..... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 1st and 2nd respondent to dispose the Appeal dated 01.12.2010, in pursuance to the Petitioner's continuous representation addressed to the above 1st and 2nd respondent in various dates, viz., dated 15.12.2011, 16.03.2015, 26.10.2019, 03.12.2020, 12.12.2020 and 12.01.2021.

For Petitioner : Mr.P.Gurunathan

For Respondents : Mr.P.Rajalakshmi, AGP

O R D E R

Mrs.P.Rajalakshmi, learned Additional Government Pleader takes notice for the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. According to the learned counsel for the petitioner, while the petitioner was serving as an Inspector of Police at Ennore Police Station, he was issued with a show cause notice on 09.10.2009, for the alleged negligence in duty. Subsequently, the fourth respondent passed an order dated 28.08.2010 imposing the punishment of postponement of increment for three years, which was challenged by the petitioner by filing an appeal dated 01.12.2010 before the respondents 1 and 2. Since the said appeal was not considered, he made several representations on 15.12.2011, 16.03.2015, 26.10.2019, 03.12.2020, 12.12.2020 and 12.01.2021 to the respondents 1 and 2. However, none of the same yielded any response. Hence, the petitioner has preferred this writ petition seeking a direction to the respondents 1 and 2 to dispose of the appeal dated 01.12.2010.

3. The learned Additional Government Pleader appearing for the respondents submitted that the competent authority to consider the claim of the petitioner is the Commissioner of Police, Chennai and hence, the petitioner may be directed to prefer the appeal before the authority concerned.

4. The learned counsel for the petitioner fairly agreed upon the submission made by the learned Additional Government Pleader appearing for the respondents.

5. Considering the facts and circumstances of the case and having regard to the submissions now made by the learned counsel on either side, this Court grants liberty to the petitioner to prefer appeal before the Commissioner of Police, Chennai, within a period of two weeks from the date of receipt of a copy of this order. On such filing, the authority concerned shall consider the same and pass appropriate orders, on merits and in accordance with law, after providing an opportunity of hearing to the petitioner, within a period of twelve weeks thereafter.

6. Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

vum/kmm

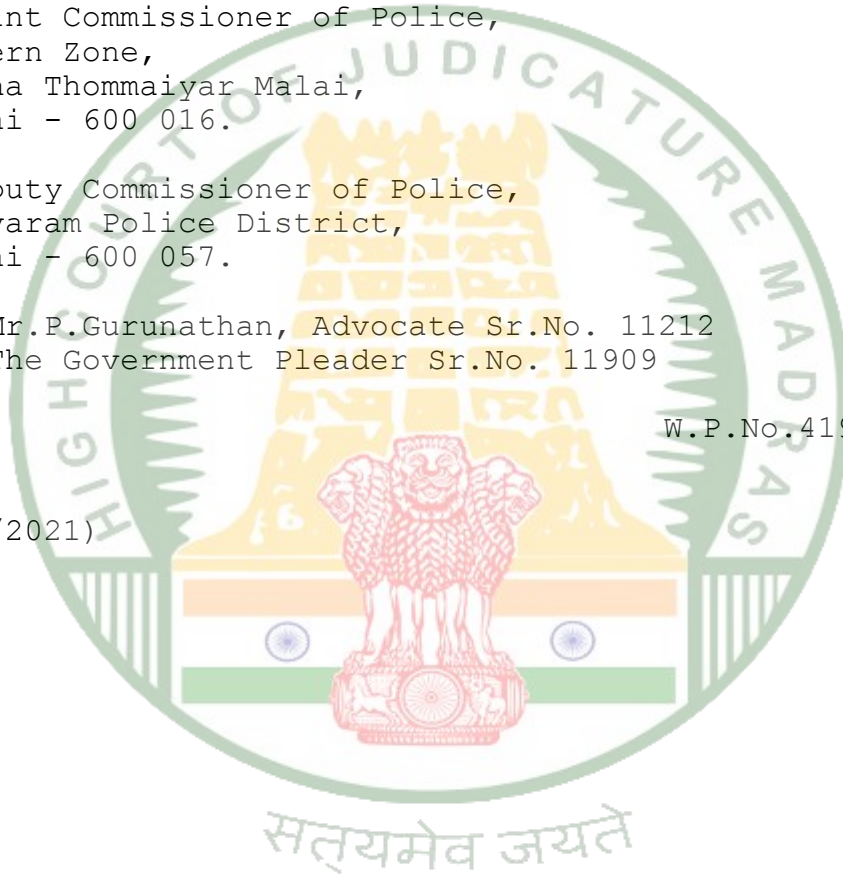
To

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4. The Deputy Commissioner of Police,  
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Chennai - 600 057.

+1 cc to Mr.P.Gurunathan, Advocate Sr.No. 11212  
+1 cc to The Government Pleader Sr.No. 11909

W.P.No.4191 of 2021

GPL (CO)  
RMP (31/03/2021)



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