



WEB COPY



W.P.No.26171 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

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THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.26171 of 2022

A.Rajendran

... Petitioner

Vs.

The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4.

... Respondent

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to pass orders on the representation made by the petitioner dated 24.06.2022 to call for the records in respect of the disciplinary proceedings initiated against the petitioner in PR No.33, etc., dated 23.06.2015, set aside the punishment and order reinstatement and settle the retirement benefits due to him within a reasonable time.

For Petitioner : Mr.M.Muthappan

For Respondent : Mr.L.S.M.Hasan Fizal
Additional Government Pleader



ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondent to consider the petitioner's representation dated 24.06.2022, requesting the respondent to set aside the punishment imposed on him and order for his reinstatement and pay his retirement benefits within a time frame to be fixed by this Court.

2. The petitioner contends that subsequent to the removal order dated 23.06.2015, he has been acquitted. The F.I.R. registered against him has been closed on account of mistake of fact by the Police. According to the petitioner, only due to the pendency of the criminal case, the punishment was imposed on him, removing him from service.

3. The petitioner has given a representation on 24.06.2022 to the respondent, requesting them to set aside the punishment order and order for reinstatement and pay his retirement benefits. Since the representation has not been considered till date, he has filed this Writ Petition.

4. The petitioner has filed documents along with this Writ Petition to



substantiate his case. It is for the respondent to consider the same on merits and in accordance with law. The petitioner has given a representation dated 24.06.2022 to the respondent requesting the respondent to set aside the punishment order, removing him from service and also requesting for his reinstatement and settlement of his retirement benefits.

5. No prejudice would be caused to the respondent if the petitioner's representation is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the respondent to pass final orders on the petitioner's representation dated 24.06.2022, requesting for setting aside the punishment order dated 23.06.2015 and requesting for his reinstatement and for payment of his retirement benefits on the ground that the criminal case which was registered against the petitioner has been closed on account of mistake of fact by the Police, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforementioned directions, this Writ Petition is disposed



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of. No Costs.

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Index : Yes/No
Speaking Order : Yes / No
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To

The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4.



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ABDUL QUDDHOSE. J.,

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