



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.04.2022

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM**

WEB COPY

W.P. (MD)No.7514 of 2022

C.Duraisamy

... Petitioner

Vs.

1.The Director General of Police,
(Law & Order)
Police Head Quarters,
Mylapore, Chennai-600 034.

2.The Inspector General of Police,
Tamil Nadu Railway Police,
Near Central Railway Station,
Egmore, Chennai-600 094.

3.The Deputy Inspector General of Police,
Tamil Nadu Railway Police,
Near Central Railway Station,
Egmore, Chennai-600 211.

4.The Superintendent of Police,
Tamil Nadu Railway Police,
Trichy-620 001.

5.The Inspector of Police,
Tamil Nadu Railway Police,
Kodai Road Railway Junction,
Dindigul District-624 101

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents particularly 3rd respondent to speed up petitioner appeal and order in the Tamil nadu Railway Police or any other suitable post in Tamil Nadu Police even on the humanitarian ground and consider the petitioner's representation dated 17.02.2022.

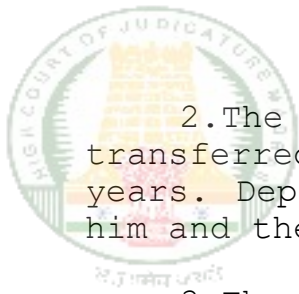
For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.N.Satheesh Kumar

Additional Government Pleader

ORDER

This writ petition is filed to direct the respondents to dispose of the appeal filed by the writ petitioner against the order of dismissal from service before the third respondent.



2.The petitioner was appointed as Police Constable. He was transferred to Railway Police at Trichy and served for about 3 years. Departmental disciplinary proceedings were initiated against him and the petitioner was dismissed from service.

3.The learned counsel for the petitioner made a submission that the petitioner submitted an appeal before the third respondent on 17.02.2022 and the said appeal is pending. Thus, a direction is to be issued to dispose of the said appeal.

4.The learned Additional Government Pleader appearing on behalf of the respondents disputed the said contentions by stating that the third respondent has not received any appeal from the petitioner. However, the dismissal of service file was placed before the appellate authority for approval and the third respondent was *suo motu* taken an appeal against the order of dismissal from service imposed on the petitioner and passed final orders on the appeal on 18.06.2019. The copy of the order furnished before this Court reveals that the petitioner has not filed any appeal against the punishment of dismissal from service. When the files were placed for approval, the third respondent in his capacity as a appellate authority scrutinized the files and assessed the proportionality of the punishment and accordingly, confirmed the punishment and the said order copy dated 18.06.2019 was served to the petitioner and he acknowledged the same, on 05.07.2019.

5.This being the factum, the relief as such sought for in the present writ petition cannot be granted and accordingly, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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+1 CC to M/s.S. SIVA KUMAR, Advocate (SR-19988[F] dated
21/04/2022)

+1 CC to M/s.SPL.GP (SR-20123[F] dated 21/04/2022)

W.P. (MD)No.7514 of 2022
20.04.2022

SS (CO)
KB (06.05.2022) 3P 8C