



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.04.2022

CORAM:

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

WEB COPY

W.P. (MD)No.7455 of 2019

and

W.M.P(MD)No.5964 of 2019

P.Thiraviaraj

... Petitioner

Vs.

1.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.

2.The Superintendent of Police,
Thoothukudi District.
Thoothukudi.

3.The Principal/The Superintendent of Police,
Temporary Police Recruit School,
Nagercoil,
Kanniyakumari District.

... Respondents

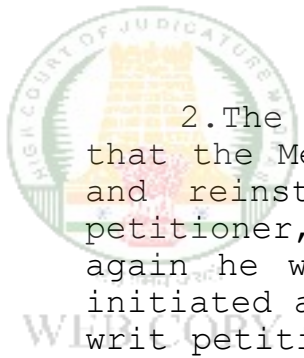
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned order of removal from service passed by the 2nd respondent dated 22.10.2018 and the impugned order passed by the 1st respondent vide his proceedings in C.No.C4/AP.55/2018 dated 10.12.2018 and to quash the same as illegal and arbitrary and consequently, direct the respondents to reinstate the petitioner in the post of Grade-II-Police Constable with all monetary benefits within the time limit that may be stipulated by this Court.

For Petitioner in : Mr.B.Perumal Prabhu

For Respondents : Mr.M.Ramesh
Government Advocate

ORDER

This writ petition has been filed challenging the order of removal from service passed by the second respondent, dated 22.10.2018 and the consequential order passed by the first respondent in proceedings dated 10.12.2018.



2.The learned Additional Government Pleader made a submission that the Mercy Petition filed by the writ petitioner was considered and reinstated the petitioner by the competent authority. The petitioner, after reinstatement, deserted the service once again and again he was declared as 'deserter' and disciplinary actions were initiated against him. During the pendency of the writ petition, the writ petitioner was issued with an order of removal from service by the Superintendent of Police, Thoothukudi District, on 10.06.2021.

3.This Court is of the considered opinion that the petitioner has challenged the order of removal dated 22.10.2018 and considering his mercy petition, he was reinstated in service. Again he has committed misconduct of desertion and subsequently, he was declared as deserter and disciplinary proceedings were initiated and again dismissed from service by the the Superintendent of Police in its order dated 10.06.2021. Thus no further adjudication needs to be entertained in respect of the writ petition. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.

2.The Superintendent of Police,
Thoothukudi District.
Thoothukudi.

3.The Principal/The Superintendent of Police,
Temporary Police Recruit School,
Nagercoil,
Kanniyakumari District.

+1 CC to M/s.M.S. JEYAKARTHIK, Advocate (SR-19241[F] dated
19/04/2022)

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and

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