



W.P(MD)No.24286 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24286 of 2022

M.Rajkumar

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by the Secretary to Government,
Home Department,
Fort St.George,
Chennai-9.

2.The Inspector General of Police,
South Zone,
Madurai.

3.The Commissioner of Police,
Madurai City,
Madurai.

4.The Deputy Superintendent of Police,
Madurai City,
Madurai.

5.The Director General of Police,
Mylapore,
Chennai.

(R5 is suo motu impleaded
vide order dated 20.10.2022)

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the first respondent to take necessary action on the basis of the petitioner's mercy petition dated 15.12.2021 in order to cancel the punishment awarded in PR.No.192/2004 U/r. 3(b), dated 26.11.2008 within a time stipulated by this Court.

For Petitioner : Mr.D.Anbarasu
For Respondents : Mr.J.K.Jayaseelan
Government Advocate

ORDER

Heard the learned counsel on either side.

2. The petitioner seeks disposal of the petition mentioned mercy petition by the first respondent.

3. It is seen that the petitioner was originally punished vide order dated 26.11.2008 by the disciplinary authority. He was imposed with the punishment of reduction in time scale of pay by two stages for a period of two years. Questioning the same, the petitioner had filed mercy petition before the Director General of Police, Chennai. It was rejected on 28.08.2009. Challenging the same, the petitioner filed a petition before the Government. It was dismissed vide G.O.Ms.No.105, Home (Police VI) Department, dated 20.03.2015. When the petitioner's request was already rejected by the



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Government, the question of directing the Government to once again re-consider the petitioner's prayer does not arise at all. That apart, in the typed set of papers, what has been enclosed is only a copy of the mercy petition dated 15.12.2021 submitted before the Director General of Police, Chennai. It is also seen that the punishment imposed on the petitioner dates back to the year 2008, while the cause of action dates back to the year 2004. When the matters have already attained finality, the question of reviving the same does not arise.

4. The Writ Petition is dismissed. No costs.

20.10.2022

Index : Yes / No
Internet : Yes/ No
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To

- 1.The Secretary to Government,
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- 2.The Inspector General of Police,
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- 3.The Commissioner of Police,
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Madurai.
- 4.The Deputy Superintendent of Police,
Madurai City,
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G.R.SWAMINATHAN, J.

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