



W.P(MD)No.26453 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26453 of 2022

P.Seenivasan

... Petitioner

Vs

1.The Director General of Police,
Office of Director General of Police,
Kailasapuram,
Mylapore,
Chennai – 600 005.

2.The Inspector General of Police,
Central Zone,
Tiruchirappalli,
Trichy.

3.The Superintendent of Police,
Karur District,
Karur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petition submitted by the petitioner to the respondents dated 25.10.2022 on merits and to dispose the same within a stipulated time fixed by this Court.



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For Petitioner : Mr.M.Viji
For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The writ petitioner was employed as Grade-I Police Constable. He was dismissed from service vide order dated 13.04.2017 by the third respondent. The petitioner was also facing criminal prosecution during the relevant time. It entered in acquittal only on 21.10.2021. The petitioner failed to prefer any statutory appeal. However, he has preferred mercy petition before the first respondent. Any order of termination can be questioned by the delinquent before the appellate authority. In this case, the appeal remedy was not exhausted.

3. Considering the special facts and circumstances of the case, mercy petition filed by the petitioner shall be disposed of by the first respondent on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. It is open to the first respondent to pass order one way or the other.



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4. This writ petition is disposed of. No costs.

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Index : Yes / No

Internet : Yes/ No

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To

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2.The Inspector General of Police,
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G.R.SWAMINATHAN, J.

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