



WEB COPY



WP.No.20145 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUIMAR

WP.No.20145 of 2023

D.Manikandan

.. Petitioner

Versus

The Director General of Police
Chennai – 600 004

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to consider and pass orders on the representation of the petitioner dated 20.06.2021 on merits and in accordance with law with regard to reinstatement into service, as done in the case of one Mr.G.Tamilarasan, Ex.PC 6214 in proceedings Rc.No.110310/AP3(1)/2019 dated 19.12.2019 by the respondent and in the case of one Mrs.Kavitha, EX.WPC 805 in proceedings Rc.No.4185411/AP.IV(2)/2023 dated 17.04.2023 by the respondent herein.

For Petitioner : Mr.G.Bala

For Respondent : Mr.P.Baladhandayutham
Special Government Pleader



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ORDER

This Writ Petition has been filed seeking to direct the respondent to consider the representation of the petitioner dated 20.06.2021 on merits and in accordance with law with regard to reinstatement into service, as done in the case of one Mr.G.Tamilarasan, Ex.PC 6214 in proceedings Rc.No.110310/AP3(1)/2019 dated 19.12.2019 by the respondent and in the case of one Mrs.Kavitha, EX.WPC 805 in proceedings Rc.No.4185411/AP.IV(2)/2023 dated 17.04.2023 by the respondent herein.

2. The facts of this the present case is that the writ petitioner joined the Police Services as Grade II Police Constable during the year 2002. Further, from 11.10.2008, he was unauthorisedly absent for 21 days, therefore, he was declared as a deserter by the competent authority. Accordingly, disciplinary proceedings were initiated which resulted in removal of his service.

3. It is the contention of the learned counsel for the petitioner that under Rule 15A of the Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules, 1955, one privilege is available to make a representation to the Head of the Department as far as the constable is concerned. According to him, in a similar case, an order has been passed dated 17.04.2023 in Rc.No.4185411/AP.IV(2).2023. Hence, his case also may be considered by the



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respondent.

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4. Mr.P.Baladhandayutham, the learned Special Government Pleader submitted that no detailed representation has been made by the petitioner, if such representation is made, the same will be considered on its own merits.

5. Such view of the matter, this Court directs the petitioner to make a fresh detailed representation to the respondent within a period of one week from today. If such representation is made, the respondent shall pass appropriate orders on merits and in accordance with law within a period of two months thereafter.

6. Accordingly, this writ petition stands disposed of. No costs.

10.07.2023

dhk

Index:Yes/No

Internet: Yes/No

Neutral Citation:Yes/No

N.SATHISH KUMAR, J.



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To

The Director General of Police
Chennai – 600 004

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