



WEB COPY



W.P.No.21305 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16..08..2023

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.21305 of 2023

M.Prakash

..... Petitioner

-Versus-

1.The Principal Secretary,
Home Department,
Government of Tamil Nadu,
Chennai 600 009.

2.The Director General of Police,
Head of Force,
Mylapore, Chennai 600 004.

3.The Commissioner of Police,
Vepery, Chennai 600 007.

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus directing the respondents to forthwith reinstate the petitioner in service as Grade-I Police Constable in the Police Department along with all attendant and monetary benefits and continuity of service based on the petitioner's representations dated 29.08.2022 and 12.06.2023.

For Petitioner : Ms.Padmaja Mohan

*For Respondent (s) : Mr.V.Jeevagiridharan,
Addl. Government Pleader
for RR 1 to 3*



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ORDER

This writ petition is filed seeking a writ in the nature of mandamus directing the respondents to consider the representation of the petitioner dated 29.08.2022 followed by a reminder dated 12.06.2023 seeking to reinstate him in service forthwith as the criminal case registered against him ended in acquittal.

2. The was a Police Constable Grade-I. He joined the disciplined force as Police Constable in 2002. He was lastly working as Grade I Police Constable at C-1, Flower Bazaar Police Station. He was proceeded with departmentally on the charge that he was involved in a criminal case in Cr.No.787 of 2016 registered on the file of the Inspector of Police, H-8, Thiruvottiyur Police Station, for the alleged offences u/s 419, 365, 395 r/w 120(B) of IPC and Sections 9A r/w 25A & 29(i) of NDPS Act, 1985 and after enquiry, based on the report of the enquiry officer, he was removed from service by the disciplinary authority w.e.f. 11.03.2019. The grievance of the petitioner is that though he got acquitted from the charges, his representations for reinstatement have not been considered by the respondents till date.

3. Heard both sides.



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4. Considering the limited nature of the prayer sought for in the writ petition and the submissions made on either side, without going into the merits of the claim of the petitioner, this court directs the respondents to consider the representations of the petitioner dated 29.08.2022 and 12.06.2023 for reinstatement into service on its own merits and in accordance with law and pass appropriate orders thereof within a period of two months from the date of receipt of a copy of this order.

This writ petition is disposed of accordingly with the above directions.

No costs.

16..08..2023

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
kmk

To

- 1.The Principal Secretary,
Home Department,
Government of Tamil Nadu,
Chennai 600 009.
- 2.The Director General of Police,
Head of Force,
Mylapore, Chennai 600 004.



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N.SATHISH KUMAR.J.,

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