



WEB COPY



W.P.No.3222 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.3222 of 2017
and W.M.P.Nos.3169 to 3171 of 2017
and 22011 of 2018

G.Nagarajan

... Petitioner

Vs.

1.The Secretary to Government,
Home Department,
Fort St. George,
Chennai – 600 009.

2.The Commandant,
Tamil Nadu Special Police,
VII Battalion,
Pochampalli,
Krishnagiri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent in his proceedings G.O.Ms.No.959, Home (POL-8) Department dated 10.11.2009 and the consequential order passed by the 2nd respondent in his proceedings



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Na.Ka.No.A1/10518/769/2009, B.O 970/2009 dated 22.12.2009 which was served on the petitioner on 03.02.2017 and quash the same.

For Petitioner : Mr.G.Bala

For Respondents : Mr.P.Kumaresan,
Additional Advocate General,
assisted by Mr.L.S.M.Hasan Fizal
Additional Government Pleader

ORDER

This Writ Petition has been filed to quash the impugned order passed by the 1st respondent dated 10.11.2009 and the consequential order passed by the 2nd respondent dated 22.12.2009 which was served on the petitioner on 03.02.2017.

2.The learned counsel for the petitioner would submit that the order of the 1st respondent reverting the petitioner from the post of Sub Inspector of Police to the post of Naik in effect subjecting the petitioner to double reversion. Therefore, this Writ Petition has been filed.



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3.The learned Additional Advocate General appearing for the respondents would submit that the petitioner has already been promoted and now he was continuously absent from duty from 27.10.2023 without any information / prior permission or leave for more than 21 days. The period of absence for 21 days has been completed on 16.11.2023. As per PSO 95 (1), he was declared as a Deserter from the force with effect from 27.10.2023 by the Deputy Inspector General of Police, Armed Force, Chennai, vide deserter order in R.O.No.508/2023 in Rc.No.B3/23783/2023 dated 01.12.2023.

In view of the same, nothing survives for adjudication in this matter. Hence, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

19.12.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
mps



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To

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V.BHAVANI SUBBAROYAN, J,

mps

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