



WEB COPY



W.P.No.33689 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.33689 of 2023
and WMP Nos.33546 and 33547 of 2023

M.Dilip Kumar

...Petitioner

-Vs-

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.

2. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

3. The Commandant,
TSP 3rd battalion,
Veerapuram,
Chennai-55

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent's Memorandum in Proceeding No.C.No.D2/9296/2017 dated 02.11.2017 cancelling the petitioner appointment for the post of Grade-II PC (TSP) and subsequent order of the 3rd respondent rejecting the petitioner representation dtd 15.12.2017 vide endorsement No.Rc.No.D.2/1178/2018 dated 12.02.2018 and quash the same and to direct the respondents to restore the



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petitioner's appointment as Grade-II Police Constable in pursuance of his appointment order in Na.Ka.No.D.2/9296/2017 dated 16.10.2017 on the selection made in the year 2017 and allow the petitioner to join duty with all monetary benefits.

For Petitioner : Ms.R.Meenakshi

For Respondents : Mr.M.Bindran
AGP

ORDER

Heard Ms.R.Meenakshi, learned counsel for the petitioner and Mr.M.Bindran, learned Additional Government Pleader for the respondents and by consent of both sides, the main writ petition has been taken up for final disposal.

2. Though the petitioner herein had challenged the order of cancellation of appointment dated 02.11.2017, learned counsel for the petitioner submits that the cancellation of the petitioner's appointment was on the ground that he was involved in a criminal case in Cr.No.186 of 2014 for the offence punishable under Sections 147, 148, 294(b), 324 and 506(ii) IPC, wherein, the petitioner was arrayed as A.8 and his brother Mr.Vinod Kumar, S/o Manivel, who was also involved in the same crime number in Cr.No.186 of 2014 was arrayed as A.7 and pursuant to the orders passed by this Court in W.P.No.9823 of 2020, his brother



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Vinod Kumar was taken back into employment by the respondents. In this background, learned counsel for the petitioner submits that she would be satisfied if the respondents are directed to consider petitioner's representation, seeking for revocation of cancellation of petitioner's appointment in the light of the orders passed by this Court in his brother's case.

3. In consideration of the above submission, the petitioner is granted liberty to make a representation to the respondents herein, seeking for revocation of the cancellation of his appointment dated 02.11.2017 and on receipt of such representation, the respondents herein shall consider it in the light of the orders passed by this Court in W.P.No.9823 of 2020 dated 10.09.2020 as well as the consequential orders passed pursuant to the orders passed in WP No.9823 of 2020 in the case of Vinod Kumar, within a period of six weeks from the date⁴ of receipt of petitioner's representation.

4. With the above observation, the writ petition is disposed of accordingly.
No costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No
Internet: Yes/No
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M.S.RAMESH,J.,

SR

To

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.
2. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
3. The Commandant,
TSP 3rd battalion,
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