



WEB COPY



W.P.No.6889 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.6889 of 2024
and
W.M.P.No.7691 of 2024

A.Imayavaramban

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Petitioner

Vs

1. The Director General of Police,
Kamarajar Salai,
Chennai – 600 004.

2. Deputy Inspector General of Police,
Thanjavur Zone,
Thanjavur.

3. The Superintendent of Police,
Nagapattinam District,
Velipalayam Road,
Nagapattinam.

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Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records and order of the first respondent in Rc.No.714552/API(1)/2020 dated 27.04.2022 and quash the same as illegal and further directing the respondents to give the petitioner backwages, pension and all monetary benefits due to him.



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For Petitioner : Mr.J.Antony Jesus

For Respondents : Mrs.R.L.Karthika
Government Advocate

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 27.04.2022, thereby dismissing the appeal as against the order passed by the second respondent dated 08.12.1996.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner had joined the service of the Tamil Nadu Police Department Armed Reserve in the year 1988. While being so, he was suspended from service on the ground that he had involved in a criminal case in Crime No.1016 of 1993 registered for the offence under Section 352 of IPC and Section 4(1)(j) of TNP Act. It is further alleged that one day he was in a drunken mood and had verbally abused the Sub Inspector of Police. Though he was acquitted in Crime No.216/1994 by an order dated 31.03.1995, he was served with a charge memo. After completion of the disciplinary proceedings, he was removed from service.

4. Aggrieved by the same, the petitioner preferred an appeal before the second respondent and the same was rejected by an order dated 08.12.1996.

However, without any provision of law, the petitioner, in the form of



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representation, once again preferred an appeal before the first respondent in the year 1997. Since there was no provision to file another application before the first respondent, it was not considered. Therefore, the petitioner filed a writ petition before this Court in W.P.No.22650 of 2019 and this Court directed the first respondent to consider the representation submitted by him. Thereafter, the first respondent rejected the representation submitted by the petitioner in the form of mercy petition.

5. Admittedly, the petitioner did not prefer any writ petition as against the order passed by the Appellate Authority. The order of removal from service was passed in the year 1996. After a period of 28 years, now this writ petition has been filed, that too challenging the order passed in the mercy petition. Therefore, this Court finds no merits on this writ petition.

6. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

19.03.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
Lpp

G.K.ILANTHIRAIYAN. J.

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To
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