



W.P.No.3193 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

CORAM:

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

W.P.No.3193 of 2024

P.Shanmugam

...Petitioner

-Vs-

1. The Director General of Police,
Office of Director General of Police,
Mylapore,
Chennai 600 004.
2. The Commissioner of Police,
Sub Urban Commissionerate,
St.Thomas Mount,
Chennai 600 016.
3. The Deputy Commissioner of Police,
i/c of Armed Reserve,
Chennai Suburban Police,
Chennai 600 016.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to dispose of petitioner's representation on 14.08.2023 submitted to the first respondent.



W.P.No.3193 of 2024

For Petitioner : Mr.S.S.Swaminathan

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

ORDER

This writ petition has been filed for direction directing the first respondent to dispose of petitioner's representation on 14.08.2023 submitted to the first respondent.

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

3. The petitioner joined the Police service as Grade II Police Constable on 11.04.1973. Thereafter, he was promoted as Grade I Police Constable and thereafter as Head constable as per the service rules. Subsequently, he was promoted as Sub Inspector of Police Armed Reserve on 02.06.1998. While being so, he was served with a charge memo and enquiry was conducted. Thereafter, he was imposed with a punishment of reduction of pay by three stages for three years with cumulative effect. He preferred an appeal under the Rules to the second



W.P.No.3193 of 2024

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respondent and the same was dismissed, on the ground that the appeal is barred by limitation. Therefore, the petitioner submitted Mercy Petition before the first respondent. Thereafter, on 21.04.2009, the second respondent issued an erratum order. The petitioner attained the age of superannuation and he was allowed to retire from service on 31.05.2009. When the respondents attempted to implement the order of punishment, the petitioner preferred a writ petition before this Court in W.P.No.14381 of 2009. This Court, by an order dated 20.09.2021, directed the petitioner to submit a fresh Mercy Petition. On receipt of the same, the first respondent was directed to give opportunity to the petitioner and dispose of the mercy petition, within a period of six weeks from the date of the order. However, it was not disposed of so far.

4. Considering the above facts and circumstances of the case, the first respondent is directed to dispose of the Mercy Petition submitted by the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.



W.P.No.3193 of 2024

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5. With the above directions, this writ petition is disposed of.

There shall be no order as to costs.

13.02.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order
mn

To

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W.P.No.3193 of 2024

G.K.ILANTHIRAIYAN. J,

mn

W.P.No.3193 of 2024

13.02.2024