



W.P.No.17188 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17188 of 2024
and
W.M.P. No.18967 of 2024

U.Balamurugan

... Petitioner

Vs

1. The Secretary to Government,
Home (Police) Department,
Government of Tamil Nadu,
Fort St.George,
Chennai – 600 009.
2. The Director General of Police,
Tamil Nadu Police Head Quarters,
Mylapore, Chennai – 600 004.
3. The Commissioner of Police,
Commissioner's Office,
Vepery, Chennai – 600 007.
4. The Dy. Commissioner of Police,
Armed Reserve, Greater Chennai,
Chennai – 600 008.

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records in connection with Charge Memo in PR No. 247/PR III (i) 2005 dated 19.08.2005 issued by the Deputy Commissioner of Police, Armed Reserve, Greater Chennai – 8/the fourth respondent herein and order of the punishment dated 16.11.2010 vide PR No. 247/PR III (i)/2005 U/r 3 (b) passed by the Commissioner of Police/third respondent herein, quash the same and consequently direct the respondents to extent all service benefits, including promotion in the light of the order dated 03.01.2023 passed by the Hon'ble Division Bench of this Court in W.A. No. 1180 of 2022.

For Petitioners : Dr. R.Sampath Kumar

For Respondents : Mr. E.Vijay Anand,
Additional Government Pleader

O R D E R

This Writ Petition has been filed challenging the Charge Memo dated 19.08.2005 issued by the fourth respondent herein and order of the punishment dated 16.11.2010 passed by the third respondent herein and consequently direct the respondents to extent all service benefits, including



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promotion in the light of the order dated 03.01.2023 in W.A. No. 1180 of 2022 passed by the Hon'ble Division Bench of this Court.

2. On a perusal of the records, it is seen that this Writ Petition has been filed after a period of 14 years from the date of punishment. Therefore, this Writ Petition itself cannot be considered on the ground of laches. However, the petitioner submitted representation dated 14.05.2023 as against the order of punishment in view of the similarly placed person case was considered and the Division Bench of this Court dismissed the appeal filed by the respondents.

3. Therefore, without expressing any opinion on merits of the writ petition, the second respondent is directed to consider the representation of the petitioner dated 14.05.2023 after issuance of notice to the petitioner and counter parties, if any and after giving opportunity of hearing to them, pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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4. With the above directions, this Writ Petition is disposed of.

Consequently, the connected Miscellaneous Petition is closed. No costs.

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Index:Yes/No

Neutral Citation/Yes/No

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To

1. The Secretary to Government,
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G.K.ILANTHIRAIYAN, J.

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