



W.P.No.16049 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.16049 of 2020

and

W.M.P. Nos.19981 & 19982 of 2020

S.Periyasamy

....Petitioner

Vs

1. The State of Tamilnadu,
Rep.by its Principal Secretary,
Home, Police, Fort St. George,
Chennai – 600 009.
2. The Director General of Police
Dr.Radhakrishna Salai,
Mylapore,
Chennai – 600 009.
3. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai – 600 007.
4. Deputy Commissioner of Police,
Armed Reserve 1
Greater Chennai Police,
Vepery,
Chennai – 600 007

....Respondents



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PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Certiorarified Mandamus calling for the records of the third respondent's proceedings PR No.585/PR III (1) 2018 dated 23.09.2019 and the consequential orders passed by the second respondent's proceedings RC No.107827/AP 3(2)/2019 dated 07.04.2020 and quash the same and direct the respondents to reinstate the petitioner in the fourth respondent's office with all backwages and all attendant benefits with retrospective effect from 23.09.2019.

For Petitioner : Mr.S.Sairaman
For Respondents : Mr.E.Vijay Anand
Government Advocate

ORDER

The instant Writ Petition has been filed calling for the records of the third respondent's proceedings PR No.585/PR III (1) 2018 dated 23.09.2019 and the consequential orders passed by the second respondent's proceedings RC No.107827/AP 3(2)/2019 dated 07.04.2020 and quash the same and direct the respondents to reinstate the petitioner in the fourth respondent's office with all backwages and all attendant benefits with retrospective effect from 23.09.2019.



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2. The learned Government Advocate, on instructions would submit that, initially the petitioner was imposed with the punishment of withholding of increment for three years with cumulative effect vide order dated 16.06.2019 and thereafter, the 3rd respondent initiated suo motto review and thereby the punishment was enhanced to that of “Removal from Service” vide order dated 23.09.2019 and he also filed revision petition on 14.10.2019 and the same was rejected by the 2nd respondent cum 4th respondent viz., DGP on 07.04.2020, against which, present Writ Petition is filed. He further submits that, after filing of the Writ Petition, petitioner had submitted a petition to the Government on 20.10.2020, based upon the review petition, Government passed G.O.(D).No.731, Home (Police-V) Department dated 20.05.2022, by modifying his punishment to “Postponement of next increment for two year without cumulative effect” and now the petitioner has been retired from service, therefore nothing survives in the present Writ Petition.

3. The learned counsel for the petitioner would submit that, there is no instructions from the petitioner.



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4. Hence, recording the submissions of the learned Government

Advocate, this Writ Petition is closed. Consequently, connected miscellaneous petitions are closed. No costs.

24.10.2024

Index :Yes/No
Neutral Citation : Yes
Speaking order : Yes
Sma

To

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C.KUMARAPPAN, J

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