



W.P.(MD).No.11412 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.11412 of 2021

E.Azarutheen,
(Under Dismissal from service)
Police Constable (Grade-II) (1368),
Madhagupatti Police Sation,
Sivagangai,
Sivagangai District.

...Petitioner

Vs.

- 1.The Secretary to Government,
Home Police 6 Department,
Secretariat,
Fort St. George,
Chennai.
- 2.The Director General of Police,
Mylapore,
Chennai-4.
- 3.The Deputy Inspector General of
Police,
Ramanathapuram Range,
Ramanathapuram District.
- 4.The Superintendent of Police,
Sivagangai,
Sivagangai District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 1st respondent vide his proceedings in G.O.(D)No.374 dated 21.02.2020 and quash the same and consequently direct the respondents to reinstate the petitioner into service with all monetary and service benefits within a time frame that may be fixed by this Court.

For Petitioner : Mr.Niranjan.S.Kumar

For Respondents : Mr.C.Satheesh,
Government Advocate

ORDER

The present writ petition has been filed to quash the impugned order passed by the 1st respondent vide his proceedings in G.O.(D)No.374 dated 21.02.2020 and consequently directing the respondents to reinstate the petitioner into service with all monetary and service benefits.

2. Challenging the impugned dismissal order dated 26.12.2014 passed by the 3rd respondent and the consequential confirmation order dated 24.08.2015



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passed by the 2nd respondent and the consequential rejection order dated 13.06.2016 passed by the 1st respondent, the petitioner filed W.P.(MD)No. 12270 of 2017 before this Court and this Court was pleased to set aside the order, by an order dated 09.12.2021. Even before the aforesaid writ petition came to be allowed by this Court, the petitioner preferred an appeal against the order passed by the 4th respondent, before the 3rd respondent and the same was rejected. Thereafter, a mercy petition was preferred by the petitioner before the 2nd respondent. In the meanwhile, the petitioner was reinstated into service on 22.08.2021 and he is continuing in service. However, the 2nd respondent rejected the mercy petition.

3. Since the petitioner has already been reinstated into service and he is continuing in service, the order of the 1st respondent has become unnecessarily. In view of the same, the impugned order passed by the 1st respondent, vide his proceedings in G.O.(D)No.374 dated 21.02.2020 is hereby quashed.



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4. Accordingly, this Writ Petition is disposed of. No costs.

23.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

- 1.The Secretary to Government,
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Secretariat,
Fort St. George,
Chennai.
- 2.The Director General of Police,
Mylapore,
Chennai-4.
- 3.The Deputy Inspector General of
Police,
Ramanathapuram Range,
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- 4.The Superintendent of Police,
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Sivagangai District.



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L.VICTORIA GOWRI, J.

Sml

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