



WEB COPY



W.P.No.747 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.747 of 2025

J. Subburaj

...Petitioner

Vs

1. The Additional Chief Secretary to Government,
Home (Police II) Department,
Fort St George, Chennai 9.

2. The Director General of Police,
Dr Radhakarishnan Salai,
Mylapore, Chennai 4

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner addressed to the first respondent dated 10.08.2024 for cancellation of the punishment imposed by the second respondent in his proceedings C.No.3785624/AP.I(1)/2022 dated 06.02.2023 within a reasonable time and pass orders.

For Petitioner

: Mr. Venkataramani,
Senior Advocate

For Respondents

: Mr.Yogesh Kannadasan



WEB COPY



W.P.No.747 of 2025

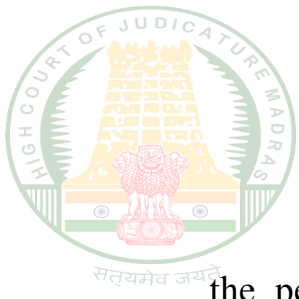
Special Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner addressed to the first respondent dated 10.08.2024 for cancellation of the punishment imposed by the second respondent in his proceedings C.No.3785624/API(1)/2022 dated 06.02.2023 within a reasonable time and pass orders.

2. The facts of the case is that the petitioner /Grade-II Police constable was issued with a charge memo on 02.02.2017 u/r 3(b) of TNPSS (D&A) Rules in in PR No.6/2017 by the Superintendent of Police, Tiruppur District. Thereafter, enquiry was conducted and the petitioner was imposed with the punishment of removal from service on 17.04.2018 by Superintendent of Police, Tiruppur District. Thereafter,



W.P.No.747 of 2025

WEB COPY

the petitioner submitted a mercy petition to the Director General of Police on 07.08.2019 and the same was reject. Against which the petitioner filed W.P.No.249 of 2020, wherein this Court remitted the matter back to the DGP for consideration, who in turn modified the punishment of removal from service into postponement of one increment for a period of 3 years with cumulative effect and the petitioner was reinstated in service on 10.03.2023. The grievance of the petitioner is that due to the said punishment, the petitioner suffered huge monetary loss which will continue till his retirement and also affect his promotional aspects Hence, the petitioner has given a representation in this regard to the respondents on 10.08.2024, however the same was not considered by the respondents, which has given rise to this petition.

3. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondent to consider the petitioner's representation and pass orders. .

4. The learned Special Government Advocate appearing for the respondent submits that the representation of the petitioner will be considered on merits and in accordance with law.



W.P.No.747 of 2025

WEB COPY

5. Heard both sides and perused the materials available on records.

6. Considering the facts of the case, this Court without expressing any opinion on the merits of the case directs the respondents to consider the petitioner's representation and pass orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

7. With the above observations this writ petition stands disposed of. No order as to costs.

10.01.2025
2/2

Index: Yes/No
Speaking order/Non-speaking order
smn



W.P.No.747 of 2025

WEB COPY

To.

1. The Additional Chief Secretary to Government,
Home (Police II) Department,
Fort St Charge, Chennai 9

2. The Director General of Police,
Dr Radhakarishnan Salai,
Mylapore, Chennai 4



WEB COPY



W.P.No.747 of 2025

V.BHAVANI SUBBAROYAN,J.

smn

W.P.No.747 of 2025

10.01.2025
2/2