



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-01-2025

CORAM

THE HONOURABLE MRS JUSTICE V.BHAVANI SUBBAROYAN

WP No. 2644 of 2025

1. G.Dananjayan,
Ex.Sub Inspector Of Police,
S/o.Govindasamy E-6, Chithamur
Police Station, Chengalpattu
District.

Petitioner(s)

Vs

1. Director General Of Police
Law And Order, Chennai-600 004.

2.Deputy Inspector General Of
Police
Kancheepuram Range,
Kancheepuram.

Respondent(s)

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent herein to consider and pass orders on the appeal / representation of the petitioner dated 24.01.2024 on merits and in accordance with law with regard to reinstatement into service, as done in the case of one Mr.D.Manikandan, Ex.PC 26706 in proceedings Rc.No.5325959/ AP3(2) / 2023 dated



09.12.2023 within a time frame as deem fit and proper by this Honorable Court.

WEB COPY

For Petitioner(s): G.Bala And Daisy
R.Kishore Kumar
T.Dhanush

For Respondents: Mr.Stalin Abhimanyu, AGP

ORDER

This Writ Petition is filed seeking for a direction to the first respondent to consider the appeal/representation of the petitioner dated 24.01.2024 and pass appropriate orders.

2. The brief facts of the case as per the affidavit enclosed to this Writ Petition are that the petitioner joined Police services as Grade II Police Constable on 24.01.1986 and promoted to Grade I Police and as Head Constable in the year 2002. Petitioner was further promoted as regular Sub-Inspector of Police in the year 2019. Due to Covid, petitioner fell sick on 01.04.2022 & 02.04.2022 for 2 days and he also informed one Mariappan, Sub Inspector of Police to make entry in the General Diary for his Medical Leave. But, later he came to know that he was kept under “absent from duty” with effect from 01.04.2022, for which he was declared a deserter and a Charge memo was also issued



WEB COPY

vide P.R.No.55/2022 under Rule 3(b) of TNPSS (D&A) Rules. The Deputy Superintendent of Police was appointed as the Enquiry Officer, the petitioner attended the oral enquiry and the charges levelled against the petitioner were proved and the punishment of dismissal from service was imposed on the petitioner. Therefore, the petitioner submitted an appeal/representation on 24.01.2024, and the same was kept pending without passing any orders. Hence, the petitioner is before this Court, by invoking Article 226 of the Constitution of India, with the above prayer.

3. Learned counsel for the petitioner also relied on a judgment passed by this Court in W.P.No.27103 of 2017 dated 21.12.2021, wherein a similar relief was prayed for and the petitioner therein also obtained the order in his favour. Hence, he prays for a suitable relief.

4. Learned Additional Government Pleader would submit that the pending appeal would be considered within the time frame fixed by this Court and will pass appropriate orders after considering the representation of the petitioner.

5. Heard both sides and perused the records.



WEB COPY

6. In view of the submissions made by both sides and considering the facts and circumstances of the case, this Court directs the first respondent to consider the representation of the petitioner dated 24.01.2024 and pass appropriate orders on merit in the manner known to the law, within a period of twelve weeks from the date of receipt of copy of this order.

7. With the above directions, this Writ Petition stands disposed of. No order as to costs.

31.01.2025

gbi

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



WEB COPY

To

1. Director General Of Police
Law And Order, Chennai-600 004.

2. Deputy Inspector General Of
Police
Kancheepuram Range,
Kancheepuram.



WEB COPY



V.BHAVANI SUBBAROYAN, J.

gbi

W.P.No.2644 of 2025

31.01.2025