



WEB COPY



W.P.No.18814 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.03.2025

Coram:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.18814 of 2008

R.Hemalatha

...Petitioner

Versus

1.The Director General of Police,
Chennai – 4.

2.The Deputy Commissioner of Police cum
Principal, Temporary Police Recruit School,
Pudupet, Chennai – 2.

3.The Principal,
Police Training College,
Ashok Nagar, Chennai – 83.

4.The Joint Commissioner of Police,
Headquarters,
Egmore, Chennai – 8.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of mandamus directing the respondents to
reinstate the petitioner for duty and order completion of training.

For Petitioner	:	Mr.M.Vignesh Raj for Mr.M.Muthappan
For Respondents	:	Mr.E.Vijay Anand, Additional Government Pleader



W.P.No.18814 of 2022

WEB COPY

ORDER

The relief sought in this Writ Petition is to direct the Respondents to reinstate the Petitioner for duty and order completion of training.

2. Today, when this Writ Petition was taken up for hearing, the learned counsel for the Petitioner submitted that he has no instructions from the Petitioner.

3. The learned Additional Government Pleader for the Respondents submitted that this Writ Petition is liable to be dismissed on the ground of delay. It is further submitted by the learned Additional Government Pleader for the Respondents that in this Writ Petition, the Petitioner has not challenged either the Desertion Order dated 09.01.2004 or the Order dated 23.02.2004 of the 2nd Respondent confirming the desertion of the Petitioner.

4. Heard the learned counsel for the Petitioner and learned Additional Government Pleader for the Respondents.

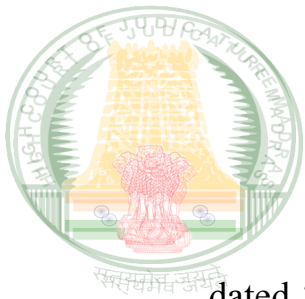


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5. From a perusal of the records, it is seen that subsequent to the Order dated 23.02.2004 of the 2nd Respondent, the Petitioner made Representations dated 25.10.2007, 25.11.2007 & 08.12.2007 to the 4th Respondent, for reinstatement into service.

6. After the receipt of aforesaid Representations of the Petitioner, the Commissioner of Police, Egmore, Chennai issued Proceeding dated 10.12.2007 bearing C.No.P.R.IV(2)/286/80899/2007, wherein, it has been stated that the service particulars and updated defaulter sheet in respect of Recruit W.P.C.309 Tmt.R.Hemalatha (Petitioner) was not available in Chennai Police Office.

7. So far as this case is concerned, the 2nd Respondent had passed a Desertion Order dated 09.01.2004, declaring the Petitioner as a deserter. Subsequently, the said Desertion Order dated 09.01.2004 was confirmed by the 2nd Respondent vide Order dated 23.02.2004. However, the Petitioner made Representations to the 1st Respondent and 4th Respondent for reinstatement into service only in the year 2007.



W.P.No.18814 of 2025

WEB COPY

8. After having slept over for four years from the date of the Order dated 23.02.2004 confirming the Desertion of the Petitioner, the Petitioner has filed this Writ Petition belatedly in the year 2008. Further, the Petitioner has not challenged the Desertion Order dated 09.01.2004 and the Order dated 23.02.2004 of the 2nd Respondent. Hence, this Writ Petition is liable to be dismissed on the ground of delay and laches.

9. Accordingly, this Writ Petition is dismissed. No costs.

25.03.2025

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Index : Yes/No

To

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W.P.No.18814 of 2008

C.SARAVANAN, J.

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