



WEB COPY

W.P.No.25204 of 2015



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.25204 of 2015

S.Balasubramanian
S/o.Somasundaram
Head Constable 1221,
Thiruthuraipoondi P.S.
Thiruvarur District.

...

Petitioner

versus

The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4.

...

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to consider and pass orders on the representation made by the petitioner dated 18.05.2015 against order of punishment imposed in PR No.32/2012 dated 04.02.2013, in accordance with law.

For Petitioner : M/s.R.Deepika Sonali
for Mr.M.Muthappan

For Respondent : Mrs.V.Yamuna Devi
Special Government Pleader



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W.P.No.25204 of 2022





ORDER

This writ petition is filed for a mandamus to direct the respondent to consider the representation of the petitioner dated 18.05.2015 which has been termed as mercy petition as against the punishment imposed in PR No.32/2012 dated 04.02.2013.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondent and perused the materials available on record.

3. Today, when the matter is taken up for hearing, Mrs.V.Yamuna Devi, learned Special Government Pleader for the respondent by relying on the averments in the counter affidavit submitted that the mercy petition submitted by the petitioner was considered and rejected by the respondent by proceedings dated 29.03.2017. The relevant portion is extracted hereunder:-

“9. ... Further it is submitted that the mercy proposal inconnection with the petitioner's mercy petition u/r 15(A)(i)(i) of TNPSS (D&A) Rules, 1955 has been considered by the 1st respondent office and the above mercy petition was rejected by the office of the 1st respondent (Director General of Police, Tamilnadu, Chennai) in proceedings bearing Rc.No.010245/AP.I(1)/2016 dated:29.03.2017, (as the charge which is of



serious nature and punishment awarded is commensurate to the gravity of charges). Hence, this writ petitioner is not maintainable and liable to be dismissed.”

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4. Since already the mercy petition submitted by the petitioner had been considered and rejected by the respondent, the relief sought for in the present writ petition no longer survives.

5. Recording the same, this Writ Petition is ***dismissed***.

6. There shall be no order as to costs.

03.01.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4.



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G.ARUL MURUGAN, J.

sri

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