



WEB COPY

W.P.No.29028 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

**CORAM
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN**

W.P.No.29028 of 2025

D.Vijayan

... Petitioner

Vs.

1. The Director General of Police,
Tamil Nadu, Chennai - 600 004.

2. The Commandant,
Tamil Nadu Special Police XIII Battalion,
Tamil Nadu Disaster Response Force (TNDRF),
Poonamallee, Chennai - 600 056.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of mandamus, directing the 1st respondent to consider and pass orders on the petitioner's representation dated 03.12.2024, wherein he has sought regularisation for the period of his non-employment from 27.06.2005 to 21.07.2013 as a period spent on duty for all purposes, including pay fixation, seniority and other consequential service benefits, instead of treating it as leave without pay (permanent) within a time limit stipulated by this Court.

For Petitioner : Mr.P.Manojkumar

For Respondents : Mr.N.Naveen Kumar
Government Advocate for R1 & R2



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ORDER

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

2. The instant writ petition has been filed to direct the 1st respondent to consider and pass orders on the petitioner's representation dated 03.12.2024.

3. The case of the petitioner is that, he was appointed as Grade-II Police Constable on 01.12.2003. While so, due to some personal difficulty, he did not attend his duties regularly during 2004 - 2005. Hence, the 2nd respondent has imposed the punishment of 'Removal from service', in his orders dated 24.10.2005. Aggrieved by which, the petitioner has submitted a petition before the Government. Subsequently, the Government, after carefully examining the said petition, modified the punishment of "removal from service" into that of "stoppage of increments for two years with cumulative effect" vide G.O.(2D) No.213 dated 14.06.2013. Pursuant to the said Government Order, the petitioner was reinstated into service on 22.07.2013. However, the respondents have treated the petitioner's entire period of absence from duty i.e., from 27.06.2005 to 21.07.2013 as "Leave



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Without Pay". Aggrieved by which, the petitioner has submitted a detailed representation to the 1st respondent herein dated 03.12.2024, requesting the respondents to treat the period from 27.06.2005 to 21.07.2013 as "On Duty" for all purposes and the same was kept pending. Hence the petition.

4. Learned Government Advocate appearing for the respondents would submit that the petitioner's representation will be considered on merits and in accordance with law within a reasonable period.

5. Heard the learned Counsel on either side and perused the materials available on record.

6. In view of the fair submission made by the learned Government Advocate, this Court without going into the merits of the matter, deems it appropriate to direct the 1st respondent to consider the petitioner's representation dated 03.12.2024, and pass orders on it's own merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. In the result, the Writ Petition is disposed of with the above direction. No costs.



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Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

To

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C.KUMARAPPAN, J.

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