



WEB COPY

WP No. 47717 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 47717 of 2025

and

WMP No. 53263 OF 2025

A.Michel Raj

Petitioner(s)

Vs

1. The State of Tamilnadu
Rep by its Secretary to Government
Home (Police) Department,
Chennai 600 009

2.The Director General of Police
Tamil Nadu, Mylapore,
Chennai 600 004

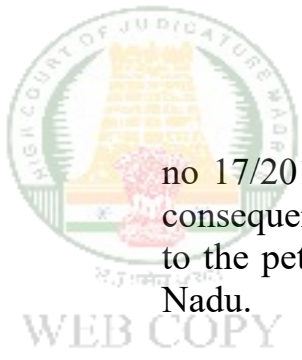
3.The Police Chief
Armed Forces, Trichy (in Charge)
Deputy Commissioner of Police
Armed Forces, Chennai 600 010

4.The Commandant, TSP VIII Battalion
Tihar Jail Complex, New Delhi 110
064

5.Mr Chandra Sekar
Superintendent, D Section, Tamil
Nadu Special Police, New Delhi

Respondent(s)

PRAYER Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in Na.Ka. no C1/ 29471 / 2018 dated 26.02.2019, as confirmed in the proceedings of the 4th respondent police dated 17.10.2018 in C. No A3/ PR



no 17/2018 u/R 17 (a) of TNCS (D & A) rules 1955 and quash the same and consequently direct the 2nd to 4th respondents to sanction all service benefits to the petitioner in accordance with service Rules of the Government of Tamil Nadu.

For Petitioner : Mr.P.Maharajan

For Respondents: Mr.P.Balathandayutham,
Special Government Pleader

ORDER

Mr.P.Balathandayutham, learned Special Government Pleader takes notice on behalf of the respondents.

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

3.This writ petition has been filed, challenging the impugned order dated 26.02.2019 passed by the 3rd respondent as confirmed in the proceedings of the 4th respondent police dated 17.10.2018 and directing the 2nd to 4th respondents to sanction all service benefits to the petitioner in accordance with service Rules of the Government of Tamil Nadu.

4. The case of the petitioner is that he was working as a Superintendent of Police under the Commandant, TSP VIII Battalion, Tamil Nadu State Police, New Delhi, the 4th respondent herein. He is eligible for unearned leave for 69 days. Due to health condition, the petitioner applied medical leave for 10 days



from 24.09.2018 to 03.10.2018 with the 4th respondent under F.R 18 and the same was sanctioned by the 4th respondent. The petitioner took native treatment at his village. Subsequently, the 4th respondent issued a charge memo dated 01.10.2018 against the petitioner as if the petitioner availed the medical leave without any actual issue of leave order to the petitioner by the 3rd respondent office. Pursuant to which, the petitioner submitted his explanation on 01.11.2018 to the 4th respondent narrating the circumstances of ill health. Not satisfied with the above explanation, the 4th respondent office issued a show cause notice under Rule 17(a) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules 1955 dated 17.10.2018 levelling the allegation of without any intimation or permission from the authority concerned, the petitioner availed the medical leave. However, the petitioner had given a reply dated 01.11.2018. Thereafter, the 4th respondent has given a punishment of censure on 29.11.2018. Against which, the petitioner preferred an appeal before the 3rd respondent and the same was rejected by the 3rd respondent confirming the punishment issued by the 4th respondent. Against the said rejection order, the petitioner filed further appeal/review petition before the 2nd respondent police 25.03.2019 and the same was also rejected vide order dated 07.06.2019. Aggrieved by the same, the petitioner filed a mercy petition before the 1st respondent on 29.12.2021. However, the same was not considered till date. Hence, the present writ petition has been filed.



5. The learned counsel for the petitioner would submit that it would suffice, if a direction is issued to the 1st respondent to consider the petitioner's representation within a reasonable time.

6. The learned Special Government Pleader appearing for the respondents would submit that they will consider the petitioner's representation and pass appropriate orders within a reasonable time to be fixed by this Court.

7. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the case, directs the 1st respondent to consider the petitioner's representation dated 29.12.2021 on merits and in accordance with law and pass appropriate orders, within a period of twelve (12) weeks from the date of receipt of a copy of this order,

8. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

10-12-2025

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

1. The Secretary To Government
Home (Police) Department,
Chennai 600 009

2. The Director General Of Police
Tamil Nadu, Mylapore,
Chennai 600 004

3. The Police Chief
Armed Forces Trichy (in Charge)
Deputy Commissioner Of Police Armed
Forces, Chennai 600 010

4. The Commandant, TSP VIII Battalion
Tihar Jail Complex,
New Delhi 110 064

5. Mr Chandra Sekar
Superintendent, D Section, Tamil
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