



W.P.(MD) No.2980 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2025

CORAM:

THE HONOURABLE Mr.JUSTICE BATTU DEVANAND

W.P.(MD)No.2980 of 2025

I.Anbarasi

... Petitioner

Vs

1. The Additional Chief Secretary to Government,
Home (Police) Department,
Fort St. George,
Chennai 600 009.

2. The Director General of Police,
(Head of Police Force),
Mylapore,
Chennai 600 004.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the 1st respondent to consider and pass orders on the representation of the petitioner dated 23.08.2024 for cancellation of the punishment of Postponement of increment for two years with cumulative effect within a stipulated period of time and in accordance with law.



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For Petitioner : Mrs.M.Padmavathy
For R1 & R2 : Mr.D.Sachi Kumar
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus to the first respondent to consider the representation of the petitioner dated 23.08.2024 for cancellation of the punishment of Postponement of increment for two years with cumulative effect within a stipulated period of time.

2.The case of the petitioner is that she was appointed as Grade II Police Constable on 15.02.2005 and further promoted as Naik in 2012. She was issued with a charge memo under Rule 3(b) of Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules in proceeding P.R.No.06 of 2014. The charge related to unauthorized absence and desertion from duty. Thereafter, she was imposed with punishment of removal from service vide order, dated 03.12.2014. She submitted a mercy petition to the second respondent on 15.03.2022. On



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consideration of the said mercy petition, the second respondent has passed the order dated 04.07.2022 by modifying the punishment of removal from service to the effect that the postponement of increment for two years with cumulative effect and the petitioner was taken back on duty. Thereafter, the petitioner submitted a further mercy petition dated 23.08.2024 to the first respondent. Due to inaction of the first respondent in considering the same and passing orders, the petitioner was constrained to file this petition.

3.Heard the learned Additional Government Pleader appearing for the respondents. He would submit that the petition submitted by the petitioner dated 23.08.2024, will be considered in accordance with law within the time to be stipulated by this Court.

4.Considering the facts and circumstances of the case and the facts are not in dispute, this Court intends to dispose of the writ petition without going into the merits of the case at the admission stage itself with the consent of both parties with a direction to the first respondent to consider and pass appropriate orders on the representation, dated



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23.08.2024 submitted by the petitioner in accordance with law.

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5. Accordingly, the writ petition is disposed of with a direction to the first respondent to dispose of the representation, dated 23.08.2024 submitted by the petitioner, in accordance with law, within a period of eight weeks, from the date of receipt of a copy of this order. There shall be no order as to costs.

06.02.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes

LR

To

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BATTU DEVANAND, J.

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