



WP(MD). No.12748 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 28/04/2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.12748 of 2026

M. Mohamed Sirajideen

... Petitioner

Vs

1. The Secretary to Government,
State of Tamilnadu, Secretariat,
Chennai..

2. The Director of General of Police,
No.1, Dr.Radhakrishnan Salai,
Mylapore, Chennai 04..

3. The Commandant TSP IX Battalion,
Manimuthar,
Tirunelveli District.

.... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 1st respondent to consider and pass orders on the petitioner mercy petition filed before the 1st respondent on 12.09.2018 as expeditiously as possible.

For Petitioner : Mr.K.M.Mohammed Ali

For Respondents : Mr.S.Shaji Bino

Special Government Pleader

ORDER

This writ petition has been filed seeking a writ of mandamus to direct the first respondent to consider and pass orders on the Mercy



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Petition filed before the first respondent on 12.09.2018 as expeditiously as possible.

2. The petitioner herein, while working as Police Constable, was subjected to disciplinary proceedings resulting in imposition of punishment by order dated 28.05.2013. Subsequently, the said punishment was modified and reduced by the third respondent on 27.08.2013. It was thereafter the petitioner stated to have been acquitted in C.C.No.176 of 2013 by order dated 03.05.2017. Therefore, the petitioner has submitted a Mercy Petition before the second respondent and the said Mercy Petition was rejected by the second respondent through proceedings in RC.No.196331/AP. 3(1)2017 dated 15.06.2018. It was thereafter the petitioner stated to have submitted yet another Mercy Petition before the first respondent on 12.09.2018. As the said Mercy Petition has not been considered by the first respondent, the petitioner has approached this Court by filing the present writ petition seeking writ of mandamus.

3. In order to issue a writ of mandamus, first of all, there should be an obligation cast upon the State authorities to discharge a public duty. In the instant case, admittedly, there is no Rule which provides



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consideration of Mercy Petition filed by the petitioner. In the absence of any provision casting an obligation on the first respondent to consider the Mercy Petition stated to have been filed by the petitioner, this Court is not inclined to issue writ of mandamus as sought in the present writ petition. The impugned punishment in question was imposed as early as in the month of May 2013 and the same was confirmed on 15.06.2018. The petitioner herein instead of challenging the said proceeding date 15.06.2018 appears to have submitted yet another Mercy Petition before the first respondent without there being any provision under law.

4. In the circumstances, this Court is of the considered view that the Mercy Petition filed by the petitioner is totally misconceived. So also, the present writ petition. Accordingly, this writ petition is dismissed. However, it is made clear that in case, the petitioner intends to take any further steps against the proceedings dated 15.06.2018 issued by the second respondent, it is open for the petitioner to take such steps in accordance with law. No costs.

28.04.2026

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MUMMINENI SUDHEER KUMAR,J

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