

WA No. 2210 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 2210 of 2023

AND

CMP No.19838 of 2026

WEB COPY

R.Pandyane
S/o.Ramalingame,
No.02, Perumal Koil Street,
Thirubuvanai,
Puducherry-605 107.

..Appellant(s)

Vs

1. The Chief Vigilance Officer
A Block GPO Complex, Satarkata Bhavan,
INA, New Delh, Delhi-110 003.
2. The Joint Secretary (UT),
Room No.121, North Block,
Ministry of Home Affairs, New Delhi-110
001.
3. The Chief Secretary to Government,
Puducherry-605 001.
4. The Director General of Police
Puducherry-605 001.
5. The Senior Superintendent of Police
(Law and Order)
Puducherry-605 013



WEB COPY

6. The Senior Superintendent of Police
(Crime And Intelligence)
Puducherry-605 001.
7. The Under Secretary to Government
(Home Department)
Chief Secretariat, Puducherry-605 001
8. The Superintendent of Police (CID)
Puducherry-605 001.
9. The Station House Officer,
Grand Bazaar Police Station,
Puducherry-605 001.
10. The District Collector,
Puducherry District,
Puducherry-605 009.
11. The Secretary to Government
Law Department
Puducherry-605 001.
12. The Superintendent of Police (East)
Puducherry-605 001.
13. The Deputy Inspector General of Police
Central Bureau of Investigation (CBI),
Special Unit, 3rd Floor, A Wing,
Rajaji Nagar, Besant Nagar, Chennai-600
090.
14. The Superintendent of Police (ACP)
Central Bureau of Investigation,
No.26, 3rd Floor Haddows Road,
Shashtri Bhavan, Chennai-06.



15. The Recruitment Committee Constituted for the Post of Sub Inspector of Police, Direct Recruitment Test Conducted in the Year 2004 Represented by its Chairman and 3 Members, No.1, Rue Dumas Police Headquarters, Puducherry - 605 001.

..Respondent(s)

Prayer: Appeal filed under clause 15 of Letter Patent to set aside the order in WP.No.17404 of 2023 dated 10.07.2023

For Appellant(s): Mr.A.Arasu Sanga Tamil

For Respondent(s): DR.G.Babu for R1 & R2

Mr.J.Kumaran, Additional Government Pleader (Puducherry) for R3 to R12 & R15

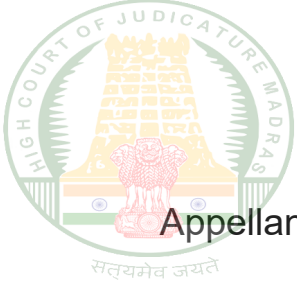
Mr.K.Srinivasan, Senior Counsel, Special Public Prosecutor for CBI Cases for R13 & R14

JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam J.)

The present Writ Appeal has been instituted challenging the writ order dated 10.07.2023 made in W.P.No.17404 of 2023.

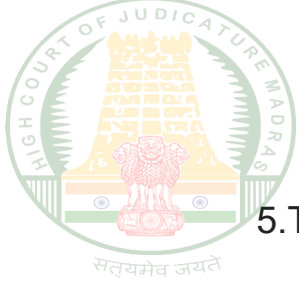
2.The writ petitioner is the Appellant. The relief sought for in the writ petition is to direct the CBI to consider the complaint given by the



Appellant on 01.07.2022 for initiating criminal action against the recruitment committee constituted for selection to the post of Sub-Inspector of Police.

3.The learned counsel for the Appellant would mainly draw the attention of this Court with reference to the tampering of marks awarded during the process of selection of the candidates. Because the marks were tampered with, the petitioner lost his opportunity for further promotion.

4.The learned Government Pleader appearing on behalf of Puducherry would submit that the tampering of records was made by the Appellant himself and a criminal case has been registered against him in FIR No.15 dated 23.10.2021. The CBCID special branch investigated the case and a final report has been filed under section 173 Cr.P.C. The learned Government Pleader would submit that the trial is in progress. The Appellant is the sole accused in the criminal case. To circumvent the criminal case, the Writ Petition has been instituted.



WA No. 2210 of 2023

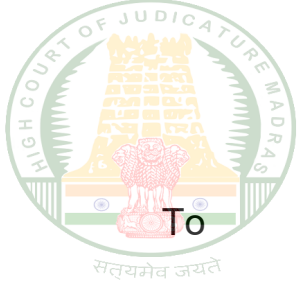
5.This Court is of the considered view that the petitioner being an accused in a criminal case relating to tampering of selection records, pertaining to award of marks, he cannot turn around and file a Writ Petition pleading innocence. He has to establish his case before the criminal court and in respect of certain allegations also, he has to avail the opportunity provided during the course of trial before the Criminal Court. However, such disputed facts cannot be adjudicated in a writ petition, since a criminal case has already been registered, a charge sheet has been filed and the trial is in progress. Thus this Court does not find any infirmity in respect of the decision taken by the writ Court in dismissing the Writ Petition.

6.Accordingly, the Writ Appeal stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.S.,J.) (N.S.,J.)
28-07-2026

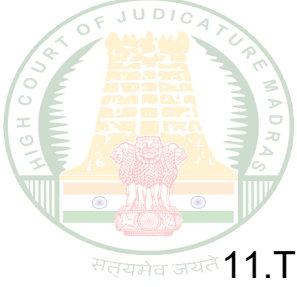
Index: Yes
Speaking order
Neutral Citation: Yes

sai



WEB COPY

- 1.The Chief Vigilance Officer
A Block GPO Complex, Satarkata Bhavan, INA,
New Delh, Delhi-110 003.
- 2.The Joint Secretary (UT),
Room No.121, North Block,
Ministry of Home Affairs, New Delhi-110 001.
- 3.The Chief Secretary to Government,
Puducherry-605 001.
- 4.The Director General of Police
Puducherry-605 001.
- 5.The Senior Superintendent of Police
(Law and Order)
Puducherry-605 013
- 6.The Senior Superintendent of Police
(Crime And Intelligence)
Puducherry-605 001.
- 7.The Under Secretary to Government
(Home Department)
Chief Secretariat, Puducherry-605 001
- 8.The Superintendent of Police (CID)
Puducherry-605 001.
- 9.The Station House Officer,
Grand Bazaar Police Station,
Puducherry-605 001.
- 10.The District Collector,
Puducherry District,
Puducherry-605 009.



WEB COPY

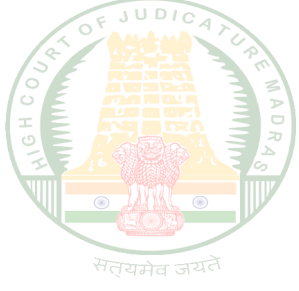
11.The Secretary to Government
Law Department
Puducherry-605 001.

12.The Superintendent of Police (East)
Puducherry-605 001.

13.The Deputy Inspector General of Police
Central Bureau of Investigation (CBI),
Special Unit, 3rd Floor, A Wing,
Rajaji Nagar, Besant Nagar, Chennai-600 090.

14.The Superintendent of Police (ACP)
Central Bureau of Investigation,
No.26, 3rd Floor Haddows Road,
Shashtri Bhavan, Chennai-06.

15.The Recruitment Committee Constituted
for the Post of Sub Inspector of Police,
Direct Recruitment Test Conducted in the Year 2004
Represented by its Chairman and 3 Members,
No.1, Rue Dumas Police Headquarters, Puducherry - 605 001.



WEB COPY



WA No. 2210 of 2023

S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.
sai

WA No. 2210 of 2023
AND
CMP NO. 19838 of 2026

28-07-2026