

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.NO.9939 OF 2015

AND M.P.NO.1 OF 2015

Ayyamuthu

... Petitioner

Versus

Deputy Commissioner of Police (Crime)
Coimbatore City,
Coimbatore.

.... Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, to call for all records pertaining to the passing of the impugned show cause notice order C.No.F1/PR-60/2010 dated 12.03.2015 on the file of the respondent herein and to quash the same, consequently direct the respondent keep disciplinary proceedings in abeyance till disposal of Crl.A.No.71 of 2015 on the file of this Court.

For Petitioner : Mr.M.Selvaraj

For Respondent : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

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

2.The petitioner has questioned the show cause notice dated 12.03.2015 issued to him to give his explanation as to why punishment cannot be imposed based on the conviction in a criminal case.

3.The show cause notice was issued under Rule 3(c) of the Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules and it is in conformity with Article 311 of the Constitution of India. An employee, who is convicted in a criminal case can be imposed punishment based on the conviction as per the aforesaid rule. Hence, I do not find any infirmity in the order impugned in this writ petition.

4.In view of the above, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

The Deputy Commissioner of Police (Crime)
Coimbatore City,
Coimbatore.

+1 cc to Government Pleader, SR.19252.

sku(co)
krd 16/4

W.P.NO.9939 OF 2015



WEB COPY