



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Appeal(MD) No.1019 of 2015

S.Saravanakumar

... Appellant

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Deputy Superintendent of Police,
Palani, Dindigul District.

3.The Inspector of Police,
All Women Police Station,
Dindigul, Dindigul District.

... Respondents

Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 31.07.2015 made in M.P(MD)No.1 of 2015 in W.P.(MD) No.13252 of 2015.

Prayer in MP(MD). 1/ 2015 in WP(MD).13252/2015 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay all further proceedings before the respondents 1 and 2 pursuant to the charge memo dated 20.03.2005 in Tha. Pa. No.48/2015 pending disposal of the above WP.(MD).No.13252 of 2015.

Prayer in WP(MD). 13252/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus forbearing the respondents from conducting the disciplinary proceedings pursuant to the charge memo dated 20.03.2005 in Tha. Pa. No.48/2015 till disposal of the Criminal case in C.C.No.437/2014 pending on the file of the Judicial Magistrate No.II Dindigul and pass suitable orders.

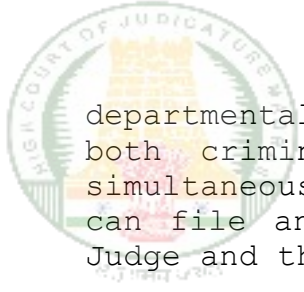
For Appellant : Mr.H.Lakshmi Shankar
For Respondents : Mr.N.Manoharan,
Special Government Pleader.

JUDGMENT

(Judgment of the Court was delivered by R.SUDHAKAR,J)

The writ appeal is directed against the order passed by the learned single Judge in M.P(MD)No.1 of 2015 made in W.P(MD)No.13252 of 2015, dated 31.07.2015.

2.We find that the first line of the order of the learned single Judge states that there shall be an order of interim stay of the



departmental proceedings and further, the learned single Judge holds that both criminal proceedings and departmental proceedings shall go on simultaneously. In view of the said inconsistency, the appellant at best can file an application for review of the order of the learned single Judge and there is no question of filing an appeal against such an order.

3. With the above observation, the writ appeal is dismissed. No costs. Consequently, M.P(MD)No.1 of 2015 is closed.

Sd/-

The Assistant Registrar(Writs)

/True copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Dindigul District.

2. The Deputy Superintendent of Police,
Palani, Dindigul District.

3. The Inspector of Police,
All Women Police Station,
Dindigul, Dindigul District.

+1cc to M/s.H.LaxmiShankar, Advocate SR.No.58187/15

+1cc to special Government Pleader SR.No.58659/15

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01.10.2015