

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.05.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.17926 of 2016
and
W.M.P.No.15622 of 2016

M.Malarvizhi

.. Petitioner

Vs.

1.The Union of India,
Rep.its Chief Secretary,
Chief Secretariat,
Pondicherry.

2.The Inquiry Officer cum Commandant-PAP,
Pondicherry Armed Police,
Gorimedu,
Pondicherry.

3.The Inspector of Police,
CB CID, Pondicherry.

4.The Inspector General of Police,
Pondicherry.

5.Murugan
S.I. of Police,
Pondicherry Armed Police,
Gorimedu,
Pondicheery 605 009.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the
Constitution of India praying for issuance of a Writ of
Mandamus, directing the second respondent to consider the
representation dated 19.04.2016.

For Petitioner .. Mr.T.Muthikrishnan

For Respondents .. Mr.M.Govindarajan
Government Pleader (P)

ORDER

Mr.M.Govindarajan, learned Government Pleader (P) takes notice on behalf of the respondents. By consent, the writ petition is taken up for final disposal.

2. According to the petitioner, he has given a complaint against the fifth respondent before the third respondent viz., Inspector of Police, CBCID, Pondicherry and based on that, First Information Report was registered in Crime No. C9 of 2014. In order to conduct an enquiry, the second respondent has issued a summon to the petitioner on 17.02.2016 for his appearance on 02.03.2016. But, the petitioner has not appeared on the said date. Subsequently, another summon was issued on 02.03.2016 directing the petitioner to appear on 08.03.2016. On that day also, the petitioner was not in a position to appear before the second respondent for enquiry. Hence, the petitioner has given a representation dated 19.04.2016 by mentioning his inability for non appearance on the said dates and requested respondents 2 and 3 to give one more opportunity to give evidence in the above said enquiry conducted by the respondents. But till date, no reply has been received by the petitioner. Hence, he has come forward with this writ petition seeking a direction to the respondents to consider his representation dated 19.04.2016.

3. Heard the learned counsel appearing for the petitioner and the learned Government Pleader (P) appearing for the respondents.

4. Considering the facts and circumstances of the case, this Court directs the second respondent viz., the Inquiry Officer-cum-Commandant-PAP, Pondicherry Armed Police, Gorimedu, Pondicherry, to consider the representation of the petitioner dated 19.04.2016 and to give an opportunity to the petitioner to participate in order to give evidence in the enquiry conducted by them and to pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CS IV)

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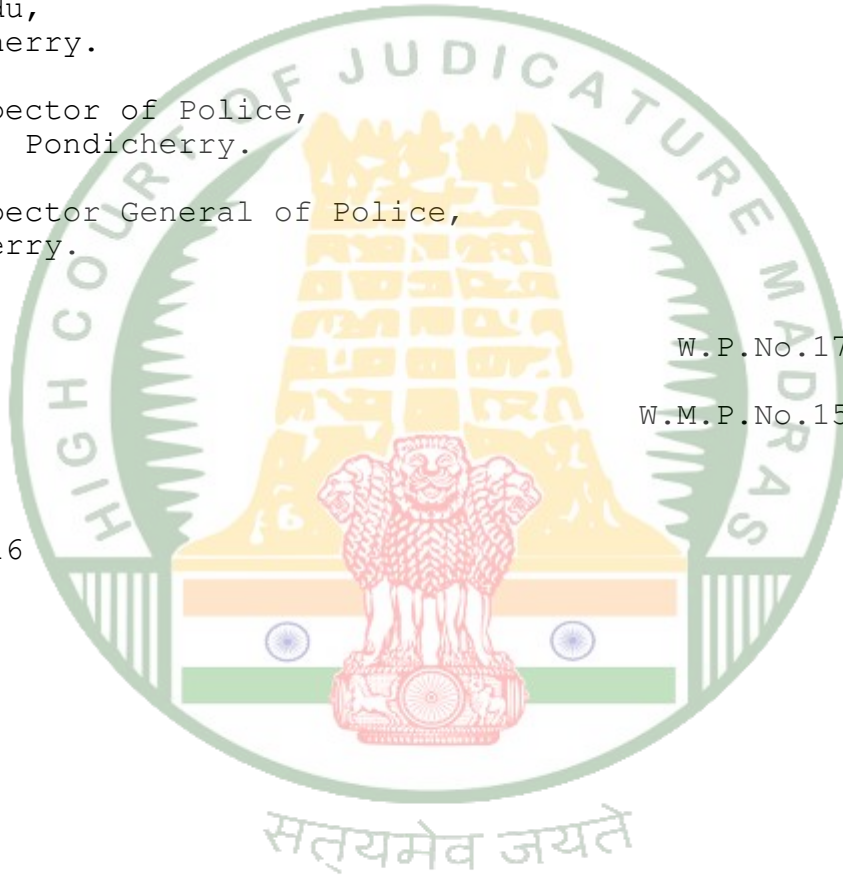
Sub Assistant Registrar

To

- 1.The Chief Secretary,
The Union of India,
Chief Secretariat,
Pondicherry.
- 2.The Inquiry Officer cum Commandant-PAP,
Pondicherry Armed Police,
Gorimedu,
Pondicherry.
- 3.The Inspector of Police,
CB CID, Pondicherry.
- 4.The Inspector General of Police,
Pondicherry.

W.P.No.17926 of 2016
and
W.M.P.No.15622 of 2016

KSJ(CO)
EU 30.05.16



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