

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.No.20866 of 2016
WMP.No.17878 of 2016

DIG K.P.S.Raghuvanshi
The Officer in-charge, Coast Guard Store Depot
Chennai-13 ... Petitioner

Vs

1.Indian Coast Guard,
through its Director General
Coast Guard Headquarters,
New Delhi 110001
2.The Commander,
Coast Guard Headquarters Region, (East),
Near Napier Bridge
Chennai-9 ... Respondents

Prayer:- This Writ Petition is filed to issue a Writ of Certiorari to call for the records of the 1st Respondent in Order No.OF/0303/0095-P dated 3.6.2016 and to quash the same with exceptional cost.

For Petitioner : Mr.Silambanan, SC for
Mr.Kaavya Silambanan Associates

For Respondents : ***Mr.G.Rajagopalan, ASG**
for Mr.Venkataswamy Babu,
Standing Counsel

ORDER

This Writ Petition is filed to issue a Writ of Certiorari to call for the records of the 1st Respondent in Order No.OF/0303/0095-P dated 3.6.2016 and to quash the same with exceptional cost.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. After some elaborate arguments by the learned counsel on either side, the only apprehension of the court is that the complaint made against the Director

General ****by the petitioner is said to be pending before the Government and in so far as the promotion of the petitioner is concerned it is pending before the Hon'ble Supreme court. In such view of the matter necessarily this court has to take into consideration the said apprehension of the Petitioner.**

4. Therefore, without going into the merits of the case, the Petitioner is permitted to give an explanation to the **(**)** show cause notice issued to the Petitioner to the Director General within a period of fifteen days from the date of receipt of a copy of this order, who in turn shall only forward the entire file including the proposal as well as the reply of the Petitioner to the Secretary, Ministry of Defence, who can alone take a decision as to whether at all the show cause notice has to be pursued or not.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected MP is closed.

Sd/-

Assistant Registrar(CCC)

(*) () substituted as per order dated 15.09.2016 made in WP 20866/2016.**

(*) Deleted as per order dated 15.09.2016 made in WP 20866/2016.**

Sd/-

**Assistant Registrar (CCC)
29.09.2016**

//True Copy//

Sub Assistant Registrar

Srcm

To:

1.The Director General
Indian Coast Guard,
Coast Guard Headquarters,
New Delhi 110001

2.The Commander,
Coast Guard Headquarters Region, (East),
Near Napier Bridge
Chennai-9

+1cc to Mr.Kaavya Silambanan Associates, Advocate,

S.R.No.*52286

+1cc to Mr.Venkataswamy Babu, Advocate, S.R.No.*52366

+1cc to Mr.Venkataswamy Babu, Advocate, S.R.No.52366(20.9.16)

To be substituted
for the order
already despatched
on 08.09.2016.

W.P.No.20866 of 2016

VGI (CO)

CA(08/09/2016)

<https://hcservices.ecourts.gov.in/hcservices/>

Kia 29.09.2016