

In the High Court of Judicature at Madras

Dated: 09.03.2016

Coram:

The Honourable Mr.Justice T.RAJA

Writ Petition No.8670 of 2016
and
W.M.P.Nos.7680 and 7681 of 2016

K.Murugan

... Petitioner

Versus

- 1 The Director General of Police
O/o. Director General of Police
Tamilnadu, Chennai-4.
 - 2 Superintendent of Police
O/o.Superintendent of Police
Nagapattinam District
 - 3 The Commissioner for Disciplinary proceedings
O/o. Commissioner for Disciplinary proceedings
Trichirapalli
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records leading to the memorandum issued by the 1st respondent in Rc. No. 874/164627/ Con.V(2)/ 2008 dated 25.12.2015 annexing the final report of the 3rd respondent in T.D.P. Case No.2/2009 dated 28.10.2014 and quash the same.

For Petitioner ... Mr.A.Tamilvanan

For Respondents ... Mr.A.Kumar

Special Government Pleader

ORDER

This Writ Petition has been filed by Mr.K.Murugan seeking issuance of a Writ of Certiorari calling for the records leading to the memorandum issued by the 1st respondent in Rc. No. 874/164627/ Con.V(2)/ 2008 dated 25.12.2015 annexing the final report of the 3rd respondent in T.D.P. Case No.2/2009 dated 28.10.2014 and quash the same.

2. The present Writ Petition filed by the petitioner does not warrant any interference. The reason is that after completion of the disciplinary proceedings, final report has been forwarded to the Disciplinary Authority to pass final order. It is at this stage, the petitioner has been issued with second show cause notice calling upon him to submit his written explanation to the report. Without even replying to the second show cause notice, it has been repeatedly held by this Court that no Writ will lie. Therefore, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed. However, it is open to the petitioner to submit written explanation within a period of two weeks from today and on filing such explanation, it is for the respondents to consider the same on merits and in accordance with law, after affording reasonable opportunity of personal hearing to the petitioner, if necessary, and pass appropriate orders within a period of four weeks thereafter.

mra

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

- 1 The Director General of Police
O/o. Director General of Police
Tamilnadu, Chennai-4.
- 2 Superintendent of Police
O/o. Superintendent of Police
Nagapattinam District
- 3 The Commissioner for Disciplinary proceedings
O/o. Commissioner for Disciplinary proceedings
Trichirapalli

+ 1 cc to M/s.O.Djearany, Advocate, SR 14969

+ 1 cc to Govt.Pleader, High Court, Madras SR 15307

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