



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.09.2016

CORAM

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD)No.17329 of 2016

Sonaimuthu

... Petitioner

vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Deputy Commissioner of Police,
Madurai City, Madurai.

3.Palanisamy

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to take appropriate action against the 3rd respondent by considering the petitioner's representation dated 24.07.2015 within the period that may be stipulated by this Court.

For Petitioner : Mr.R.Gandhi

For Respondents : Mr.K.P.Krishna Doss
Government Advocate

O R D E R

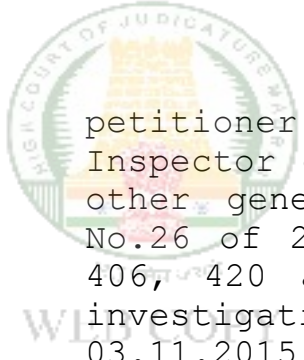
The writ petition has been filed for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to take appropriate action against the 3rd respondent by considering his representation dated 24.07.2015 within a time frame.

2.The grievance of the petitioner is that the 3rd respondent, who conducted an un-registered chit, has cheated the petitioner. After registration of the criminal case, the 3rd respondent should not be allowed to retire and he is not entitled to get the service benefits.

3. Heard the learned counsel on both side and perused the records.

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

4.The learned Government Advocate would submit that both the



petitioner as well as the 3rd respondent are retired Special Sub-Inspector of Police. Based on the complaint of the petitioner and other general public, a criminal case was registered in Crime No.26 of 2014, for the offences punishable under Sections 120-B, 406, 420 and 506(ii) IPC, against the 3rd respondent and after investigation, the respondent police filed a final report on 03.11.2015 and the case is now taken on file as C.C.No.42 of 2016, which is pending before the learned Judicial Magistrate No.I, Madurai.

5.The learned Government Advocate would further submit that the respondents 1 and 2 have initiated departmental proceedings against the third respondent and after enquiry, a punishment of compulsory retirement was imposed on him and thereafter entire service benefits were dispensed to the third respondent on 01.07.2016 by the Accountant General (A&E), Tamil Nadu, Chennai.

6.Considering the submission made by the learned Government Advocate, no direction could be given to the respondent police on the representation of the petitioner dated 24.07.2015, and accordingly, this writ petition is closed.

Sd/-

Assistant Registrar(Writ)

/True Copy/

Sub Assistant Registrar

PJL

To

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Deputy Commissioner of Police,
Madurai City,
Madurai.

+1cc to Mr.R.Gandhi, Advocate Sr.No. 57323

+1cc to Spl.Government Pleader Sr.No. 57462

JAM/18.10.16/SK-SKN/2P-5C

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