



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2016

CORAM :

**THE HON'BLE Dr.JUSTICE S.VIMALA**

W.P(MD)No.21957 of 2016

M.Nagarajan

... Petitioner

Vs.

1.The Deputy Inspector General of police,  
Mylapore, Chennai.

2.The Commissioner of Police,  
Chennai Greater City,  
Egmore, Chennai.

3.The Deputy Commissioner of Police,  
Armed Reserve Police,  
Chennai Greater City,  
Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issue a writ of Mandamus to direct the 2nd respondent to consider the petitioner's appeal dated 21.04.2014 and to pass final orders within a stipulated time may be fixed by this Court.

|                 |   |                                                           |
|-----------------|---|-----------------------------------------------------------|
| For Petitioner  | : | Mr.M.Saravanakumar                                        |
| For Respondents | : | Mr.T.S.Mohammed Mohideen<br>Additional Government Pleader |

O R D E R

The petitioner suffered punishment of removal from service by the order dated 01.04.2014 passed by the third respondent. With a prayer to reconsider the order passed, an Appeal dated 21.04.2014 has been preferred by the petitioner before the second respondent and the same is pending.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3.The matter pertains to the case registered in Crime No.279 of 2014 by the Tirunelveli Taluk Police under Section 306 IPC. Contending that the evidence in the criminal proceedings and



the evidence in the departmental proceedings are one and the same and therefore, the departmental proceedings are not maintainable, the appeal has been preferred. As the appeal has not been considered from the year 2014, this Writ petition has been filed.

4. Considering the legal contention raised and considering the fact that the appeal is pending from 2014, the second respondent is directed to dispose of the appeal within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-  
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Inspector General of police,  
Mylapore, Chennai.

2. The Commissioner of Police,  
Chennai Greater City,  
Egmore, Chennai.

3. The Deputy Commissioner of Police,  
Armed Reserve Police,  
Chennai Greater City,  
Chennai.

+1cc to Mr.M.Saravanakumar Advocate Sr.No.70341

+1cc to Spl.Government Pleader Sr.No. 70286

JAM/07.12.16/SS 2/2p-6c

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