



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition (MD) No.8992 of 2016
and
W.M.P (MD) No.7172 of 2016

K.Annadurai

... Petitioner

Vs.

1.The Deputy Inspector General of Police,
Armed Police, Trichy.

2.The Commandant / Enquiry Officer,
Tamil Nadu Special Police I Battalion,
Trichy.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to forbear the 2nd respondent from proceedings with the enquiry in T.P.No.13 of 2014 without furnishing necessary document as requested by the petitioner.

For Petitioner	: Mr.P.Ganapathy Subramanian
For Respondents	: Mrs.S.Bharathy, Government Advocate.

ORDER

This writ petition has been filed by one Mr.K.Annadurai, seeking for the issuance of a writ of mandamus to forbear the Commandant/Enquiry Officer, Tamil Nadu Special Police I Battalion, Trichy, the second respondent herein not to proceed with the enquiry in T.P.No.13 of 2014 without furnishing necessary document as requested by the petitioner.

2.Learned counsel appearing for the petitioner would submit that the petitioner was implicated in a false case filed by one Bharathi, a woman constable in the Tamil Nadu Armed Reserve Police Department on 18.01.2013 with the Director General of Police, Chennai alleging that he has married her at Palani in 2008 and he has also demanded a sum of Rs.10 lakhs and 150 sovereign of gold as dowry for marrying her. Subsequently, it was forwarded to CBCID for further enquiry and investigation.

3.It is further submitted that the petitioner has sent a reply to the charge memo requesting to defer the disciplinary proceedings till the disposal of the criminal case since he was



subsequently remanded to judicial custody on 16.07.2013 in connection with the aforesaid case lodged by the said defacto complainant which was registered in Crime No.1 of 2013 for the offence punishable under Sections 294(b), 417, 506(ii) IPC and Section 4 of Dowry Prohibition Act read with 3(1) (XII) of SC/ST Act on the file of the Inspector of Police, CBCID, Chennai.

4. When the matter was about to proceed further, the petitioner came to this Court by filing W.P(MD)No.17116 of 2014 seeking to forbear the second respondent to proceed with the enquiry in T.P.No.13 of 2014. Subsequently, the said writ petition was dismissed. Aggrieved over the same, the petitioner has preferred writ appeal which is pending in SR stage.

5. However, the present writ petition has been filed alleging that the second respondent is proceeding with the matter without providing any information whatsoever to the petitioner.

6. This Court is not able to find any merit whatsoever for the petitioner to come to this Court once again for the same relief when the earlier writ petition in W.P(MD)No.17116 of 2014 seeking the very same relief of forbearing the second respondent from proceeding with the departmental proceedings in Na.Ka.No.E2/T.P.No.13/2014 was dismissed. Accordingly, the writ petition is dismissed. No costs. Consequently, W.M.P(MD)No.7172 of 2016 is closed.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

1. The Deputy Inspector General of Police,
Armed Police, Trichy.

2. The Commandant / Enquiry Officer,
Tamil Nadu Special Police I Battalion,
Trichy.

+1cc to Mr.P.Ganapathi Subramanian, Advocate Sr.no.27555

+1cc to special Government Pleader SR.No.27281

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