

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 06.02.2017
CORAM:
THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
W.P.No.2841/2017 & WMP.No.2770/2017

P.Mangala Lakshmi

..

Petitioner

.Vs.

1.The Director General of Police
Director General of Police office
Kamarajar Salai, Chennai-04.

2.The Superintendent of Police
District Police Office, Villupuram.

.. Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorari calling for the records pertaining to the proceedings of the 2nd respondent herein under section 3[b] of TNPSS [D&A] Rules, 1955, C.No.D2/PR No.29/2016 dated 01.07.2016 and to quash the same.

For Petitioner : Mr.Madhu Prakash
For Respondents: Mr.P.Sanjay Gandhi, AGP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.P.Sanjay Gandhi, learned Additional Government Pleader accepts notice on behalf of the respondents.

2 Though the challenge has been made to the charge memo, the learned counsel appearing for the petitioner, on instructions, would submit that it would suffice to expedite and conclude the charge memo proceedings as expeditiously as possible and in accordance with law.

3 The petitioner was recruited as a direct Sub Inspector of Police during the year 2004 and claims to have completed 12 years of honest, sincere and blemishless service to the satisfaction of the superior officials.

4 The petitioner would further aver that on 27.03.2016, she suddenly suffered a severe stomach pain and informed the same to her higher officials and it was recorded in the relevant Diaries maintained as per the Statute/Police Standing Order and she proceeded to the Government Hospital, Tindivanam for check up and was given medical advice to get herself admitted in the hospital immediately and immediately, she approached her higher officials along with her Out-Patient record and also explained about her health issue/status and proceeded to Chennai and got herself admitted in the Government Police Hospital at Egmore.

5 The petitioner has also consulted an Obstetrician and Gynecologist and they had advised her to take complete bed rest and the petitioner also obtained a Medical Certificate issued by Dr.Sridhar, an authorised Medical Officer, on 29.03.2016, recommending for a leave for 42 days.

6 The petitioner has also produced her Admission and Discharge Summary which also discloses that she had undergone abortion and was discharged from the Government Hospital, Chennai, on 29.03.2016 and however, without taking note of the same, she was issued with the impugned charge memo dated 01.07.2016, charging her for certain delinquencies.

7 The learned counsel appearing for the petitioner though vehemently contended that the records cited by the petitioner prove otherwise, as made a plea that despite the explanation submitted by the petitioner to the charge memo, no progress is taking place and therefore, prays for appropriate orders.

8 The Court heard the submissions of Mr.P.Sanjay Gandhi, learned Additional Government Pleader appearing for the respondents.

9 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by her in this writ petition, directs the 2nd respondent to conclude the disciplinary proceedings initiated against the petitioner in C.No.102/PR.No.29/2016 dated 01.07.2016, as expeditiously as possible and pass final orders on merits and in accordance with

law within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

10 The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

AP

To

- 1.The Director General of Police
Director General of Police office
Kamarajar Salai, Chennai-04.
- 2.The Superintendent of Police
District Police Office, Villupuram.

W.P.No.2841/2017

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