

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH  
AND  
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.A.No.1667 of 2016

M.Ravi .. Appellant/Petitioner

-vs-

1. The Superintendent of Police  
Nagapattinam District  
Nagapattinam

2. The Deputy Inspector of Police  
Thanjavur Range  
Thanjavur

.. Respondents/Respondents

Appeal under Clause 15 of the Letters Patent, against the order dated 16.08.2016 made in W.P.No.25119 of 2012.

W.P.No.25119 of 2012:- Writ of Certiorarified to call for the records of the respondents in connection with the impugned orders passed by the 1<sup>st</sup> Respondent in PR.No.9/11, Under Section 3(b) dated 08.05.2012 and in C.No.B/50/Appeal/2012, dated 12.08.2012 by he 2<sup>nd</sup> Respondent quash the same.

For Appellant :: Mr.S.Ramesh

For Respondents :: Mr.V.Jayaprakash Narayanan  
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel for the appellant and the learned Special Government Pleader for the respondents.

2. It appears that an option has been given by the learned single Judge to the appellant/writ petitioner to move the Government by filing review. However, even without exhausting the said remedy, the appellant has approached this Court in all

hurry. Though it is the case of the appellant that the witnesses have not spoken to about certain things, the fact remains that it is a case of having illegal nexus with the bootleggers and there is semblance of evidence on record. It is for this reason the appellant/writ petitioner has been compulsorily retired.

3. In our considered opinion, when the learned single Judge has given liberty to the appellant/writ petitioner to move the Government by filing review, as contemplated under Rule 5-A of the Tamil Nadu Police Subordinate Service (Discipline & Appeal) Rules, 1955, the said exercise has not been done. In these circumstances, we give liberty to the appellant to do the needful by filing review before the Government, both on merits as well on the quantum of punishment, within a period of one month from the date of receipt of a copy of this order, and it is for the Government to consider the same on merits and shall pass appropriate orders in accordance with law within a period of two months from the date of receipt of such representation/review from the appellant/writ petitioner. With this observation, the writ appeal stands disposed of. No costs.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police  
Nagapattinam District  
Nagapattinam
2. The Deputy Inspector of Police  
Thanjavur Range  
Thanjavur

+1cc to Mr.S.Ramesh, Advocate, S.R.No.56669  
+1cc to the Government Pleader, S.R.No.56407

W.A.No.1667 of 2016

RV(CO)  
CS/21/08/17