



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2017

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR. JUSTICE P.VELMURUGAN

WA (MD) No.235 of 2015
and
M.P.(MD) No.1 of 2015

S.Rajamanickam

... Appellant/Petitioner

Versus

1. The Director General of Police,
Chennai.
 2. The Deputy Inspector General of Police,
Vellore Range, Vellore.
 3. The Enquiry Officer,
Superintendent of Police,
Formerly Vellore District, Vellore,
Now the Superintendent of Police,
Railways, Chennai.
- ... Respondents/Respondents

Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 25.02.2015 made in W.P.(MD)No.2487 of 2015.

Prayer in WP(MD). 2487/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the enquiry report of the 3rd respodnent passed in P.R No. 09 of 2009 sent to the petitioner along with memo calling for further representation passed by the 2nd respondent in his proceedings C.NO. B2/PR 04/2015 dated 10.02.2015 and quash the same and consequently direct the respondents 1 and 2 not to pass any final orders in P.R No. 09 of 2009 till the disposal of C.C NO. 241 of 2010 on the file of the Special E.c and NDPS Court, Madurai and thus render justice.

For Appellant : Mr.B.Prahalad Ravi

<https://hcservices.ecourts.gov.in/hcservices/> For Respondents : Mr.V.Muruganantham, AGP

**JUDGMENT**

(Judgment of the Court was delivered by T.S.SIVAGNANAM, J)

Heard Mr.B.Prahalad Ravi, learned counsel for the petitioner and Mr.V.Muruganantham, learned Additional Government Pleader appearing for the respondents.

2.This writ appeal is directed against the order 25.02.2015 made in W.P.(MD)No.2487 of 2015.

3.The said writ petition was filed by the appellant, challenging the enquiry report submitted by the third respondent on the memo issued by the second respondent giving liberty to the appellant to submit his further representation. The writ petition was dismissed, giving liberty to the appellant to give explanation to the enquiry report within a time frame.

4.When the writ appeal came up for admission on 26.03.2015, the Division Bench did not grant any interim order, but, merely adjourned it as the learned Special Government Pleader accepted notice for the respondents 1 to 3.

5.From the counter affidavit filed by the third respondent, it is seen that order of punishment of compulsory retirement from service has been passed against the appellant vide proceedings dated 09.04.2015, which has been acknowledged by the appellant on 16.04.2015. Thus, nothing further survives for adjudication in the appeal and the appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Director General of Police,
Chennai .
2. The Deputy Inspector General of Police,
Vellore Range,
Vellore.



3. The Enquiry Officer,
Superintendent of Police,
Formerly Vellore District, Vellore,
Now the Superintendent of Police,
Railways, Chennai.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 50237

ARUL/GK

TE/JC/SAR-IV : 25/04/2017 : 3P/5C

Judgment in
WA (MD) No.235 of 2015 and
M.P.(MD) No.1 of 2015
04.04.2017