

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated : 17.08.2017****CORAM:**

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.A. [MD] .No.1092 of 2017

V.Rani

... Petitioner

Vs.

1. Secretary to Government,
Home (Police V) Department,
Chennai.

2. Director General of Police,
Tamilnadu,
Chennai-4.

3. Additional Director General of Police,
Law & order,
Chennai.

4. Deputy Inspector General of Police,
Thanjavur Range,
Thanjavur.

... Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent, to set aside the order passed by this Court in W.P(MD). No.996 of 2011, dated 04.08.2014.

Prayer in WP(MD). 996/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari, calling for the records pertainin to the order of the 1st respondent in G.O.(2D).No. 464 dated 26/11/2009 confirming the 2nd respondents order in C.No. 072794/aP.I(1)/2009 dated 12/06/2009 confirming the 3rd respondents order in R.C.No.244857/AP.I(1)/2008 dated 06/02/2009 confirming the 4th respondents order in C.No.B1/RO PR 26/2008 dated 08/10/2008 and quash the same as illegal and arbitrary and grant such further or other reliefs as this Honourable Court may deem fit in the nature and circumstances of this case and thus render justice.



For Petitioner : Mr.S.Anand Chandrasekar
For Respondents : Mr.M.Govindan
Special Government Pleader

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JUDGMENT

[Judgment of the Court was delivered by **G.R.SWAMINATHAN, J.**]

The unsuccessful writ petitioner is on appeal challenging the order dated 04.08.2014 made in W.P.(MD) No.996 of 2011 filed by the appellant herein.

2.The appellant herein was working as an Assistant in the office of the 4th respondent. She was issued with a charge memo to the effect that on account of lapse on her part in the discharge of her duties, three probationers got their probation automatically declared. The appellant was charged with dereliction of duty. An enquiry was conducted and the charges were held to be proved. The appellant was imposed with the punishment of stoppage of increment for one year without cumulative work. The appellant exhausted all the departmental remedies available to her. Finally she filed W.P.(MD) No.996 of 2011. The writ petition was also dismissed. Hence, this writ appeal has been filed.

3.Heard the learned counsel appearing for the appellant.

4.The learned counsel for the appellant would contend that the appellant was not at fault in discharge of her duties and that the finding of the enquiry officer in this regard was erroneous. He would also contend that a joint enquiry ought to have been held. He also would plead that there is discrimination in the matter of imposition of punishment.

5.We are of the view that the scope for intervention in such matter is highly limited. Even if the finding of the enquiry officer can be faulted, this Court would still not interfere if there is some evidence in support of the findings. The learned single Judge had dealt with each and every one of the contentions raised by the appellant herein. We are agree with the reasoning set out in the order dismissing the writ petition. More than anything else, the punishment imposed on the appellant is only stoppage of increment for one year and that too without cumulative effect. Thus by now there will not be any impact on the career of the appellant. Whatever little injury that the appellant suffered would have been undone by now. Therefore, we do not see any reason to interfere with the order passed by the learned Single Judge.



6. With the above observation, this writ appeal stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

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/True Copy/

Sub Assistant Registrar

To

1. Secretary to Government,
Home (Police V) Department,
Chennai.
2. Director General of Police,
Tamilnadu,
Chennai-4.
3. Additional Director General of Police,
Law & order,
Chennai.
4. Deputy Inspector General of Police,
Thanjavur Range,
Thanjavur.

+1cc to Mr.S.Anand Chandrasekar, Advocate Sr.No.73282

+1cc to Spl.Government Pleader Sr.No.73244

MM/ARUL

VB/KK/SAR3/24/10/2017/3P/7C

W.A. [MD] .No.1092 of 2017

17.08.2017