



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: **06.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN  
and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A(MD)No.530 of 2017

R.Premkumar

.. Appellant

Vs.

1.The Deputy Inspector General of Police,  
Tirunelveli Range, Tirunelveli District.

2.The Superintendent of Police,  
Thoothukudi District, Thoothukudi. .. Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letter Patent Act, against the order dated 25.06.2012 made in W.P.(MD).No.5976 of 2009, on the file of this Court.

**Prayer in WP(MD). 5976/ 2009 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a a Writ of Certiorarified Mandamus or in nature of Writ calling for the records pertaining to the order of the 1st respondent in C.NO.C4/AP90/2009 dated 17/06/2009 and the order passed by the 2nd respondent in PR.NO.93/08 dated 16/04/2009 and quash the same and direct the respondents to reinstate the petitioner in service with all attendant benefits (Prayer amended vide Court order dt.18/06/2012 in MP.1/2011)

For Appellant : Mrs.P.Jessi Jeeva Priya  
For respondents : Mr.T.S.Mohammed Mohideen  
Additional Government Pleader

### JUDGMENT

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[Judgment of the Court was delivered by **K.K.SASIDHARAN, J.**]

The appellant was dismissed from service by the disciplinary authority, after conducting enquiry. The order passed by the disciplinary authority dismissing the appellant from service was challenged by him in W.P.(MD).No.5976 of 2009. The learned Single Judge agreed with the findings recorded by the Enquiry Officer. However, the learned Single Judge opined that the punishment imposed on the appellant was disproportionate to the charges. The matter was, therefore, remanded to the second respondent herein, vide order dated 25.06.2012 in W.P.(MD).No.5976 of 2009.



2. After remand, the disciplinary authority re-considered the matter and imposed the punishment of stoppage of increment for a period of one year. We do not find any reason to arrive at a different conclusion, in view of the well-considered order passed by the learned Single Judge. In fact, the appellant was given a lesser punishment, consequent to the order passed by the Writ Court. We are, therefore, of the view that the order impugned in this Writ Appeal does not call for interference by exercising the appellate jurisdiction.

3. In the upshot, we dismiss the intra-Court Writ Appeal. No costs.

Sd/-

ASSISTANT REGISTRAR (CS-III)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To:

1. The Deputy Inspector General of Police,  
Tirunelveli Range, Tirunelveli District.

2. The Superintendent of Police,  
Thoothukudi District, Thoothukudi.

+1 CC TO Mrs. Jessi Jeeva Priya, Advocate, Sr No. 63665

NB

MAS/MR-KKR/SAR4:19.07.2017:2P-4C

JUDGMENT MADE IN  
W.A (MD) No. 530 of 2017  
06.07.2017