



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.08.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **T.RAJA**

WEB COPY

W.P(MD)No.14558 of 2017
and
W.M.P. (MD) .No.11386 of 2017

P.Ragupathy

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
Public (Law and Order) Department,
Fort St.George,
Chennai-600 009.

2.The Director General of Police cum
Chief of Prison Department,
Egmore,
Chennai-600 008.

3.The Superintendent of Prison,
Central Prison,
Trichy-30.

4.The Inspector General of Police,
Coastal Security Group,
Mylapore,
Chennai-600 004.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the charge memo issued by the 4th respondent in PR No.1/2016 dated 22.03.2016 and quash the same.

For Petitioner : Mr.B.Karunanithi

For Respondents : MrK.Guru

Additional Government Pleader

O R D E R

The present writ petition is directed against the charge memo issued by the fourth respondent, in PR No.1/2016 dated 22.03.2016 and to quash the same.

2.Heard Mr.B.Karunanithi, learned counsel appearing for the petitioner and Mr.K.Guru, learned Additional Government Pleader



appearing for the respondents.

3. By consent of both sides, this writ petition itself is taken up for final disposal.

4. The learned counsel for the petitioner submitted that the petitioner has given a representation dated 05.04.2016 to the fourth respondent for furnishing 7 documents, immediately on receipt of the charge memo dated 22.03.2016. On receipt of such representation, the Superintendent of Police, Nagapattinam, Coastal Security Group also issued a letter dated 28.04.2016 stating that the petitioner can visit the office and peruse the documents 1 to 11 and the rest of the documents are directed to be received from the office of the Superintendent of Prison, Trichy. When the petitioner was charge sheeted with serious allegation, the disciplinary authority can ensure that the documents relied upon on the charge memo should be furnished him.

5. In the present case, the communication dated 28.04.2016, clearly shows that the petitioner is entitled to receive the documents as sought for. Therefore, without furnishing the aforesaid documents, the respondents cannot proceed with the enquiry.

6. The learned Additional Government Pleader, who takes notice on behalf of the respondents, sought two weeks time to furnish the aforesaid documents.

7. In view of the above said submission, the fourth respondent is directed to furnish the documents mentioned in the letter dated 28.04.2016 issued by the Superintendent of Police, CSG, Nagapattinam and to proceed further and conclude the enquiry as expeditiously as possible.

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

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government of Tamil Nadu,
Public (Law and Order) Department,
Fort St. George,
Chennai-600 009.

2. The Director General of Police cum
Chief of Prison Department,

Egmore,

<https://hcservices.ecourts.gov.in/hcservices/>
Chennai-600 008.



3.The Superintendent of Prison,
Central Prison,
Trichy-30.

4.The Inspector General of Police,
Coastal Security Group,
Mylapore,
Chennai-600 004.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.70832

+1cc to Mr.B.KARUNANITHI Advocate in SR. No. 70388

NS

JS/KP/SAR.4/18.09.2017/3P-7C

W.P (MD) No.14558 of 2017
04.08.2017