

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.575 of 2018 and

CMP No.5510 of 2018

M.Chinnadurai

...Appellant

Vs

1.The Secretary to Government,
Home (Police) Department,
Fort St.George, Chennai -9.

2.The Director General of Police,
Mylapore, Chennai -4.

3.The Deputy Inspector General of Police,
Villupuram Range,
Villupuram.

...Respondents

Prayer:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order passed by this Court in W.P.No.1799 of 2018 dated 30.01.2018.

W.P.No.1799 of 2018:-

Writ petition filed under Article 226 of the Constitution of India, praying for the issue of a writ of mandamus directing the 2nd respondent to consider the claim of the petitioner promotion as Inspector of police on par with his junior without reference to the pending criminal case in Cr. No.02/2009 (RCS.03/ 2014) on the file of Judicial Magistrate Thittakudi and to promote him as Inspector of police and grant him all consequential service and monetary benefits

For Appellant : Mr.S.Sivakumar

For Respondents : Mr.N.Manikandan
Govt.Advocate

J U D G M E N T

(Judgment of the Court was delivered by
K.K.SASIDHARAN, J.)

The appellant filed a writ petition for issuance of a Writ of Mandamus directing the respondents to promote him as Inspector of Police without reference to the pending criminal case in Crime No.2/2009 on the file of Judicial Magistrate, Thittakudi.

2. The writ petition was dismissed by the learned single Judge on the ground that the disciplinary proceedings are pending. The said order is under challenge in this intra court appeal.

3. The learned counsel for the appellant submitted that the appellant would be satisfied, in case, a direction is given to the disciplinary authority to conclude the disciplinary proceedings as expeditiously as possible.

4. Even though, originally, the appellant claimed promotion notwithstanding the proceedings pending against him, the present request is to direct the disciplinary authority to conclude the proceedings.

5. We therefore direct the disciplinary authority to conclude the disciplinary proceedings initiated against the appellant as expeditiously as possible and in any case within a period of four months from the date of receipt of a copy of this judgment.

6. The intra court appeal is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

svki

To

1.The Secretary to Government,
Home (Police) Department,
Fort St.George, Chennai -9.

2.The Director General of Police,
Mylapore, Chennai -4.

3.The Deputy Inspector General of Police,
Villupuram Range, Villupuram.

+1cc to Mr.S.Sivakumar, Advocate, S.R.No.29163

+1cc to the Government Pleader, S.R.No.28742

W.A.No.575 of 2018

SG(CO)

CS/30/05/18