

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26237 of 2006

Anthony Harry

... Petitioner

Vs.

1.The Joint Commissioner of Police,  
(North Zone)  
Greater Chennai City Police,  
Constable Road, Ayanavaram,  
Chennai-600 023.

2.The Deputy Commissioner of Police,  
St. Thomas Mount, Chennai-600 016.  
(Earlier it was The Superintendent of Police,  
Chengai East District)

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to Rc.No.D.II-2/PR 263/03 dated 19.11.2004 issued by the Superintendent of Police, Chengai East District now merged with second respondent herein and RC. No.244/19292/PR N(1)2005 NZ.O NO.727/2005 dated 29.09.2005 issued by the first respondent herein and quash the same.

For Petitioner : Dr.R.Sampath Kumar

For Respondents: Mr.R.Govindasamy,  
Special Government Pleader

O R D E R

The petitioner has filed this writ petition challenging the order of punishment dated 19.11.2004 imposed by the Superintendent of Police, Chengai East District and the same was confirmed by the first respondent by its order dated 29.09.2005.

2.The case of the petitioner is that while he was working as Inspector of Police, Thiruninravur Police Station of the erstwhile Chengai East District, a Charge Memo in PR. No.263/03 u/r 3(a) of Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules has been served on him on 06.01.2004 by the Deputy Superintendent of Police, Avadi Sub Division vide his

Memorandum dated 24.12.2003. In this regard, the petitioner has submitted his explanation within the specified time limit to the Enquiry Officer - Deputy Superintendent of Police, Avadi. However, the Enquiry Officer did not consider his explanation and submitted his Enquiry Report on 05.03.2004 as the charges are proved. The same was accepted by the Superintendent of Police, Chengai East District, the second respondent herein and the petitioner was imposed a punishment of censure for three months on 09.04.2004. Aggrieved by the said order, the petitioner has preferred an Appeal before the Joint Commissioner of Police (North Zone), Chennai-8 and thereafter he filed a Writ Petition in W.P. No.12983 of 2006 before this Court to quash the order of confirmation of the punishment. This Court, directed the first respondent to dispose of the representation made by the petitioner within a period of two weeks. However, the first respondent disposed of his representation stating that the Appeal Petition is considered and rejected and against which he has filed this petition seeking the above said prayer.

3. Admittedly, the petitioner was imposed punishment for the charges levelled against him. However, he has filed this petition at the age of 54 years and now, after a lapse of more than 12 years, nothing further survives for adjudication and therefore, this petition is closed. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

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W.P.No.26237 of 2006

KS (CO)  
SP (02/05/2018)