



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.3560 of 2018

Balaji

...Petitioner

Vs.

1.The Superintendent of Police,
Madurai District,
Madurai.

2.The Deputy Superintendent of Police,
CBCID,
Madurai District,
Madurai.

3.Thangavelu (Retired DSP),
Ummachikulam Police Station,
Madurai.

4.Ganesh Babu,
The Inspector of Police,
CBCID,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to disciplinary proceedings of the first respondent in F1 P.R.No.63 of 2017 dated 24.08.2017 and quash the same as illegal and consequently direct the respondents to complete the proceedings within a stipulated time fixed by this Court.

For Petitioner : Mr.K.Rameshkumar
For R-1 & R-2 : Mr.S.Srimathy,
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2.The petitioner is working as Inspector of Police. He questions the charge memo dated 24.08.2017, issued by the first respondent. The said charge memo contains three articles of charge. The substance of the charge memo is that the petitioner had connived with other delinquents in order to suppress the suicide note of one Markandaiyan, who died while in custody.



3.The case of the petitioner is that he was not on duty during the relevant time. It is open to the petitioner to offer his explanation in response to the charge memo and seek exoneration on merits. Charge memo can be questioned only on certain limited grounds, such as jurisdiction or malafides. In this case, such grounds have not been made out.

4.This Court, therefore, comes to the conclusion that the challenge in the Writ Petition will not come within those parameters. Therefore, preserving the right of the petitioner, without expressing any opinion on the merits, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,
Madurai District,
Madurai.

2.The Deputy Superintendent of Police,
CBCID,
Madurai District,
Madurai.

+1cc to The Special Government Pleader, SR.No.50774

tsg
RL/4C/2P/JC/SAR1/3/5/2018

W.P. (MD) .No.3560 of 2018

21.02.2018