



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.21991 of 2017

and

WMP (MD) Nos.18302 & 18303 of 2017

Veerapathiran

... Petitioner

Vs.

The District Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.

... Respondent

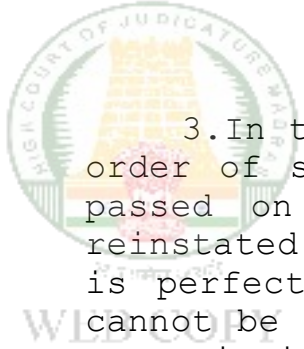
Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order in C.No.F1/6131/2014 on 27.02.2014 and quash the same as illegal and consequently direct the respondent to reinstate the petitioner in service in the light of the judgment of the Hon'ble Apex Court reported in (2015) 7 SCC 291 and letter No.13519/N/2015-1 dated 23.07.2015 issued by the P&AR (N) Department, Government of Tamil Nadu.

For Petitioner : Mr.J.M.Hassanul Bazari
For Respondent : Mr.J.Gunaseelan Muthaiah
Addl.Govt.Pleader

O R D E R

The writ petitioner was working as a Grade II Police constable. He was arrested in Crime No.01 of 2014 on the file of the Vigilance and Anti Corruption Wing, Ramanathapuram under the provisions of the Prevention of Corruption Act, 1988.

2.The allegation is that the writ petitioner and one K.Kumaraiah demanded a sum of Rs.3000/- and accepted as bribe amount from one Ramakrishnan. The said case has since been charge sheeted and pending trial in the Court of Chief Judicial Magistrate, Ramanathapuram. The Superintendant of Police, Ramanathapuram District has therefore passed the order dated 03.01.2018 to the effect that since the criminal prosecution is still pending against the writ petitioner, his request for reinstatement cannot be considered till the disposal of the said criminal case.



3. In the present writ petition, what is under challenge is the order of suspension. The respondent has reviewed the suspension passed on the writ petitioner and ordered that he cannot be reinstated till the criminal prosecution is over. The said order is perfectly justified. A person who is facing corruption case cannot be allowed to be reinstated till he is exonerated. I find no merit in this writ petition.

4. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

The District Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.

+1cc to M/S. Special Government Pleader, SR. 40819

+1cc to Mr. J. M. HASSANUL BAZARI, Advocate, SR. 40881

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