



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.03.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

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W.P. (MD) .No.6723 of 2016
and
W.M.P. (MD) .No.5803 of 2016

K.Selvendran

...Petitioner

Vs.

1.The Deputy Inspector General,
Central Industrial Security Force,
South Zone, Rajaji Bhavan,
Besant Nagar,
Chennai.

2.The Assistant Commandant/ Enquiry Officer,
Central Industrial Security Force,
Unit DABH Airport,
Indore, Madhyapradesh-452 005.

3.The Deputy Inspector General,
Airport Central Industrial Security Force,
Ministry of Home Affairs,
West Zone Airport Head Quarters,
Keendriya Sadan,
C-301, Sector-10,
C.B.D. Delapur, Navi Mumbai-614.

4.The Inspector of Police,
(Airport Sector),
Central Industrial Security Force,
Head Quarters, 13, C.G.O. Complex,
Lodhi Road, New Delhi-03.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the fourth respondent in V-11014/APS/ 49(KS)/LC/2012/13761, dated 31.12.2012, by confirming the appeal order passed by the third respondent in No.V-15019/APL-KS/W2-Ap/L&R/2011-2739 dated 30.08.2011 and quash the same and consequently direct the fourth respondent to issue all monetary benefits to the petitioner.

For Petitioner

: Mr.P.Krishnasamy

For Respondents

: Mr.G.Rajaraman

ORDER

Heard the learned counsel on either side.

2. The petitioner is employed in the Central Industrial Security Force. Disciplinary action was initiated against him. The order of punishment was imposed by the second respondent. It was confirmed in appeal by the third respondent. The petitioner herein filed a further Revision Petition before the fourth respondent. The Revision Petition was also dismissed. It is seen that the entire cause of action arose outside the territorial jurisdiction of this Court.

3. The learned counsel appearing for the petitioner drew the attention of this Court to the earlier order passed by this Court for disposing of the Revision Petition filed by the petitioner herein. Merely because, this Court in the earlier round directed to dispose of the Revision Petition filed by the petitioner that will not confer a cause of action for maintaining the subsequent Writ Petition, questioning the validity of punishment imposed on him. This Writ Petition is dismissed purely on grounds of maintainability. The fact that the petitioner has permanent residence in Madurai will not furnish cause of action for sustaining the plea of jurisdiction. The Writ Petition is dismissed only on that ground.

4. It is needless to mention that if the petitioner files a fresh Writ Petition before the jurisdictional High Court, the time taken in prosecuting this Writ Petition will obviously be excluded. This observation is made to protect the rights of the petitioner from being non suited on the ground of laches.

5. The Writ Petition is dismissed accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Inspector General,
Central Industrial Security Force,
South Zone, Rajaji Bhavan,
Besant Nagar,
Chennai.



2.The Assistant Commandant/ Enquiry Officer,
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Keendriya Sadan,
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C.B.D. Delapur, Navi Mumbai-614.

4.The Inspector of Police,
(Airport Sector),
Central Industrial Security Force,
Head Quarters, 13, C.G.O. Complex,
Lodhi Road, New Delhi-03.

+1cc to M/S.P.Krishnasamy, Advocate SR.No. 54194
+1cc to M/S.G.Rajaraman, Advocate SR.No. 53853

ORDER MADE IN
W.P. (MD) .No.6723 of 2016
08.03.2018

tsg
JM/SKN RSK/SAR 3/13.03.2018/3P/7C