



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2018

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P. (MD) No.17371 of 2013
and
M.P. (MD) Nos.1 to 3 of 2013

Thangam Thennarasu

: Petitioner

-Vs-

- 1.The Principal Secretary to Government,
Public (SC) Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
- 2.Thiru.Jatindra Nath Swan,
The Principal Secretary to Government,
Public (SC) Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
- 3.The Director of Vigilance & Anti Corruption,
Department of Vigilance & Anti Corruption,
Raja Annamalaipuram, Chennai.
- 4.Thiru.A.Jeyabalan,
Legal Officer (Retired)

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records relating to the impugned order of the first respondent in G.O.Ms.No.698 Public (SC) Department, dated 11.07.2013 and quash the same insofar as the petitioner is concerned.

For Petitioner : Mrs.D.Farjana Ghoushia,
For M/s.Veera Associates

For Respondents 1to3 : Mr.C.Mayil Vahana Rajendran,
Additional Public Prosecutor

For Respondent No.4 : Mr.N.C.Ashok Kumar

**O R D E R**

The learned counsel for the petitioner sought permission of this Court to withdraw this Writ Petition and she has also made an endorsement to that effect.

2. In view of the endorsement made by the learned counsel for the petitioner, this Writ Petition is dismissed as withdrawn. No costs. Consequently, the connected miscellaneous petitions are closed.

3. However, the Trial Court is directed to complete the trial in Special C.C.No.4 of 2013, within a period of six months from the date of receipt of a copy of this order, provided the accused co-operate with the Trial Court by cross-examining the prosecution witnesses on the day they are examined in chief, as held by the Hon'ble Supreme Court in Vinod Kumar vs. State of Punjab reported in 2015 (1) Scale 542, without adopting dilatory tactics. If any of the accused absconds, a fresh First Information Report can be registered against him/her under Section 229-A of the Indian Penal Code. If the accused adopt any dilatory tactics, it is open to the Trial Court to remand the accused to custody, in the light of the law laid down by the Supreme Court in State of U.P. vs. Shambhu Nath Singh reported in 2001(4) SCC 667.

sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal Secretary to Government,
Public (SC) Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
 - 2.The Director of Vigilance & Anti Corruption,
Department of Vigilance & Anti Corruption,
Raja Annamalaipuram, Chennai.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to M/S.G.MARIAPPAN, Advocate SR.No.46327.

Order made in
W.P. (MD) No.17371 of 2013
02.02.2018