

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 13.02.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.20989 of 2015

*** Panaiyur M.Babu**

... Petitioner

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram

2.The Commissioner of Police,
Chennai City,
Veppery, Chennai-600 007

3.Kirubanidhi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to pass on order of direction, directing the first and second respondents to hold enquiry under Section 151 PSO against the Kirubanidhi the Third respondent herein and punish in accordance with law by keeping him under suspension, pending enquiry and pass suitable orders.

For Petitioner : Mr.R.Sankarasubbu

For Respondents: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This petition has been filed to pass on order of direction, directing the first and second respondents to hold enquiry under Section 151 PSO against the third respondent and punish in accordance with law by keeping him under suspension, pending enquiry and pass suitable orders.

2. The learned counsel for the petitioner would submit that the petitioner submitted representation dated 22.07.2015 to the respondents, but the respondents did not conduct any enquiry. Hence, the petitioner has filed this petition.

3. The learned counsel for the respondents would submit that the respondents issued summon to the petitioner, but without participating in the enquiry, the petitioner has filed the present complaint.

4. It is seen that the summon was issued by the Assistant Commissioner of Police, Neelangarai Range, Chennai-115 to the petitioner calling him for enquiry to be conducted on 19.07.2015 on the complaint dated 17.07.2015. After receipt of the same, the present complaint has been lodged even without participating in the enquiry. Further it is also seen that though the representation was sent by RPAD, no acknowledgment is annexed along with the receipt. There is no proof for the receipt of the complaint by the second respondent. Therefore, no direction can be issued in this petition.

5. Accordingly, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to file a fresh petition to the second respondent if so advised.

Sd/-
Assistant Registrar (CS)
Dated: 14/03/2019

*** Amended as per Letter dated 12.04.2019
by Mr.R.Sankarasubbu, Advocate**

**Sd/- Assistant Registrar (CS V)
Dated: 15/04/2019**

//True Copy//

Sub Assistant Registrar

pds/lok

To

1.The District Collector,
Kancheepuram District,
Kancheepuram

To be Corrected order
to be despatched

2.The Commissioner of Police,
Chennai City,
Veppery, Chennai-600 007

3.The Public Prosecutor,
High Court of Madras

CrI.O.P.No.20989 of 2015

A.SK(18/03/2019)
GN(23/04/2019)