

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2019

CORAM :

THE HONOURABLE MR. JUSTICE M. DURAISWAMY

W.P. No.37795 of 2004

R.Muthusamy

... Petitioner

Vs.

1.The Deputy Inspector General of Police,
Salem Range, Salem.

2.The Superintendent of Police,
Namakkal.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records in connection with proceedings issued in Punishment Roll.20/2003 u/r.3(Aa) of the 2nd respondent and proceedings issued in C.No.B1/323/3189/2004 AP 18/B1/2004 dated 21.07.2004 by the 1st respondent and quash the same and consequently to direct the respondents to reinstate the petitioner into service with all benefits.

For Petitioner : Mr.S.Ilamvaludhi

For Respondents : Mr.S.N.Parthasarathi
Government Advocate

O R D E R

The petitioner has filed the above writ petition to issue a writ of certiorarified mandamus to call for the records in connection with the proceedings of the 1st respondent dated 21.07.2004 and quash the same and consequently to direct the respondents to reinstate the petitioner into service with all benefits.

2.When the writ petition is taken up for hearing, it is brought to the notice of this Court by Mr.S.N.Parthasarathi, learned Government Advocate, appearing for the respondents that the petitioner has also filed a writ petition in W.P.No.6103 of 2008 challenging the order passed by the Secretary to Government, Home (Police) Department, dated 25.09.2007, confirming the order passed by the 2nd respondent therein, viz.,

the Director General of Police, Chennai, and the order passed by the Deputy Inspector General of Police, Salem Range, dated 21.07.2004, and also the order passed by the Superintendent of Police, Namakkal, dated 13.01.2004.

3.From a perusal of the materials available on record, it could be seen that the relief sought for in the above writ petition is with regard to the order passed by the 1st respondent, viz., the Deputy Inspector General of Police, dated 21.07.2004, which is also the subject matter of the writ petition in W.P.No.6103 of 2008. This Court, by order dated 11.07.2013, dismissed the writ petition in W.P.No.6103 of 2008 confirming the orders passed by the respondents herein.

4.Since the issue has already been decided by this Court in earlier writ petition in W.P.No.6103 of 2008, the above writ petition challenging the very same order cannot be entertained. In view of the order passed in W.P.No.6103 of 2008, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Deputy Inspector General of Police,
Salem Range, Salem.

2.The Superintendent of Police,
Namakkal.

+1cc to Mr.S.Ilamvaludhi, Advocate sr.99328
+1cc to Government Pleader SR.NO. 99975

W.P. No.37795 of 2004

ss(co)
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