

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.02.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.3932 of 2019
and
W.M.P.No.4360 of 2019

K.Sathish

..Petitioner

vs

The Deputy Commissioner of Police
Armed Reserve-II
Chennai City, Chennai - 7. ..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the respondent dated 30.10.2018 issued in Na.Ka. No.97820/ 230/ Tha. Pee. 5(2)/ 2018 Che. Pol. Order No.3224/ 2018 and quash the same consequently to direct the respondent to reinstate the petitioner into service with all consequential service and monetary benefits including treating the period of suspension as duty for all purpose.

For Petitioner : Mr.P.I.Thirumoorthy
For Respondent : Mr.A.N.Thambidurai
Special Government Pleader

O R D E R

The relief sought for in the present writ petition is to call for the records relating to the proceedings of the respondent dated 30.10.2018 issued in Na.Ka. No.97820/ 230/ Tha. Pee. 5(2)/ 2018 Che. Pol. Order No.3224/ 2018 and quash the same consequently to direct the respondent to reinstate the petitioner into service with all consequential service and monetary benefits including treating the period of suspension as duty for all purpose.

2.The learned counsel for the writ petitioner after arguing the matter for a considerable length of time and when this Court cited Rule 23 of the Tamil Nadu Subordinate Police Officers Conduct Rules and the writ petitioner has to face the enquiry proceedings. Rule 23 of the Tamil Nadu Subordinate Police

Officers Conduct Rules is extracted hereunder:-

Rule 23: Bigamous Marriages:-

"1.(a) No Police Officer shall enter into a contract marriage with a person having a spouse living and

(b) No Police Officer having a spouse living shall enter into or contract a marriage with any person:

Provided that the Government may permit a Police Officer to enter into or contract any such marriage as is referred to in clause(a) or clause (b), if they are satisfied that,

(i) Such marriage is permissible under the personal law applicable to such Police Officer and the other party to the marriage; and

(ii) there are other grounds for so doing.

2.No Police officer shall involve himself in any act involving moral turpitude on his part including any unlawful act, which may cause embarrassment or which may discredit to Government."

3.At this juncture, the learned counsel for the writ petitioner has chosen to withdraw the writ petition. Thus, the writ petitioner is permitted to withdraw the writ petition and he had also made an endorsement to that effect.

4.Accordingly, the writ petition stands dismissed as withdrawn. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

kak

To

The Deputy Commissioner of Police
Armed Reserve-II
Chennai City, Chennai - 7.

+lcc to the Government Pleader, S.R.No. 12838

W.P.No.3932 of 2019

RSV(CO)
GN(06/03/2019)