

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN
AND
THE HONOURABLE MR. JUSTICE P.D. AUDIKESAVALU

W.A. No. 1183 of 2019
&
C.M.P. No. 8269 of 2019

M. Senthilkumar ...Appellant/Petitioner

Vs.

1. Superintendent of Police-I,
Security Branch CID
Marutham Complex,
No.1, Boat Club Road,
R.A. Puram,
Chennai - 600 028.
2. The Inspector of Police,
E-2, Royapettah Police Station,
Chennai.

Prayer: Writ Appeal as against the order dated 27.02.2019 in W.P. No. 31475 of 2018, This Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of pertaining to the show-cause notice dated 26.10.2018 in D1/Sec/5519/2018 issued by the first respondent, to quash the same and to issue consequential directions to the respondents to permit the petitioner to continue to reside in police quarters situated in Block No.1, Door No.5, Gopalapuram Police Quarters, Chennai-600 086.

For Appellant	::	Mr.Arun Anbumani for Mr.P.Rajkumar Pandian
For Respondents	::	Mrs.A. Srijeyanthi, Special Government Pleader

J U D G M E N T

(Judgment of the Court was delivered by K.K. SASIDHARAN, J.)

The appellant was punished by the Disciplinary Authority. The review petition challenging the order of punishment is now pending before the Director General of Police.

2. While so, a notice was issued by the first respondent to the appellant directing him to vacate the residential quarters. The notice was challenged before the Writ Court in W.P. No. 31475 of 2018. The learned Single Judge disposed of the writ petition with a direction that the appellant should vacate the quarters on or before 31 March, 2019. The said order is under challenge in this intra-court appeal at the instance of the unsuccessful writ petitioner.

3. When this appeal came up for hearing on 1 April, 2019, we directed the appellant to file an affidavit indicating the time required for vacating the quarters. The matter was adjourned to be posted today.

4. When the appeal is taken up for hearing today, the learned counsel for the appellant produced an affidavit of undertaking given by the appellant to vacate the police quarters on or before 31 May, 2019. The appellant has also explained the difficulty in vacating the premises at this point of time on account of the studies of one of his daughters, who is a minor.

5. We are satisfied with the reasons given by the appellant for extending the period of stay in the quarters. We direct the appellant to vacate the premises on or before 31 May, 2019.

6. However, this order would not prevent the authorities from granting either permission to reside or extension of time depending upon the orders to be passed by the Reviewing Authority.

7. The intra-court appeal is disposed of with the above direction. No costs. Connected C.M.P. is closed.

sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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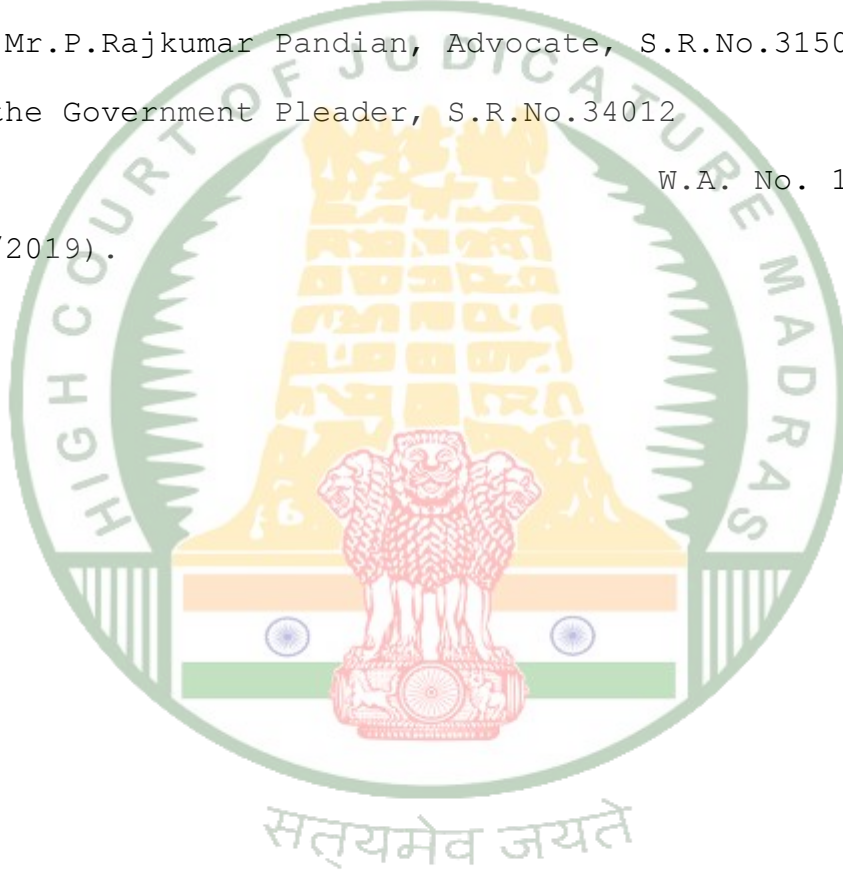
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+2 ccs to Mr.P.Rajkumar Pandian, Advocate, S.R.No.31505

+1 cc to the Government Pleader, S.R.No.34012

W.A. No. 1183 of 2019

RSI (CO)
SSM(28/05/2019).



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