

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2019

CORAM :

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

Writ Appeal No.1300 of 2019

M. Sekar

Appellant

Vs

1. Deputy Inspector General of Police
Vellore Range, Vellore District

2. The Superintendent of Police
Vellore, Vellore District

Respondents

PRAYER: Writ Appeal filed under clause 15 of Letters Patent, against the Order dated 25.02.2019 passed in W.P.No.15900 of 2018.

PRAYER in W.P.No.15900 of 2018: This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for records and quashing the impugned order of the 1st respondent dated 09.12.2015 vide C.No.B1/015242/2015 R.O.409/2015 suspending the petitioner from service as Sub-Inspector of Police with effect from 08.12.2015 and consequently direct the respondents to reinstates the petitioner within time frame.

For Appellant : Mr.K.Ravi Anantha Padmanaban

For Respondents : Mrs.A. Srijayanthi
(Special Government Pleader)

O R D E R

(Order of the Court was made by K.K.SASIDHARAN,J.)

The Writ Petition filed by the appellant challenging the order of suspension was dismissed by the learned single Judge. Feeling aggrieved, the appellant has come up with this intra Court appeal.

2. By consent, the intra court appeal is taken up for final disposal.

3. The appellant was involved in a case registered by the Director of Vigilance and Anti-Corruption Unit, Vellore. He was placed under suspension by order dated 09.12.2015. The appellant is due to retire on attaining the age of superannuation on 31.05.2019. The criminal case is now pending before the Special Court.

4. The learned single Judge was of the view that it would not be possible to revoke the suspension in view of the involvement of the appellant in the corruption case registered by the Vigilance and Anti-Corruption Department.

5. After hearing the learned Counsel for the appellant and the learned Special Government Pleader appearing on behalf of the respondents and taking into account the grounds taken in the memorandum of grounds, we direct the first respondent to review the order of suspension dated 09.12.2015 on merits and as per law.

6. It is open to the appellant to place all the relevant materials before the first respondent so as to enable the Authority to consider the matter objectively. Such exercise shall be completed on or before 30.04.2019.

7. This intra Court Appeal is disposed of with the above direction. There shall be no order as to costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

vrn/pri

Sub Assistant Registrar

To

1. Deputy Inspector General of Police
Vellore Range, Vellore District

2. The Superintendent of Police
Vellore, Vellore District

+1 cc to Mr.K.Ravi Anantha Padmanabhan, Advocate, S.R.No.36056

+1 cc to the Government Pleader, S.R.No.35765

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SPD(CO)
SSM(12/04/2019) .