



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.18954 of 2019

V.S.Yuvaraj Jayakumar

.. Petitioner

Vs.

The Joint Commissioner of Police
North Zone, Greater Chennai Police
Thiruvottriyur High Road,
Tondiarpet,
Chennai.

.. Respondent

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, directing the respondent to complete the disciplinary proceedings pending against the petitioner in P.R.No.73 of 2003 dated 09.10.2003 within a stipulated time.

For Petitioner : Mr.J.Deliban

For Respondent : Mr.I.Sathish,
Additional Government Pleader

O R D E R

The present Writ Petition is filed seeking to issue a Writ of Mandamus, directing the respondent to complete the disciplinary proceedings pending against the petitioner in P.R.No.73 of 2003 dated 09.10.2003 within a stipulated time.

2.According to the petitioner, he is working as a Grade I Constable at Government General Hospital Police Station, Chennai. While in service, he was issued a charge memo in P.R.No.73 of 2003 dated 09.10.2003, framing four charges. The respondent initiated criminal proceedings also against the petitioner. The petitioner filed O.A.No.3903 of 2003 before the Tamil Nadu Administrative Tribunal at Chennai. The Tamil Nadu Administrative Tribunal by the order dated 02.12.2003 directed the respondent not to proceed with departmental action till the disposal of the criminal case. It went on to further state that the applicant is kept under suspension and he will have to be



kept under suspension till he gets exonerated in the criminal case. In view of the above said order, the disciplinary proceedings are not proceeded with. According to the petitioner, there is no progress in the criminal case filed against him and request of the petitioner to split up the case and proceed against him, was not done. In view of the same, the petitioner has come out with the present Writ Petition to direct the respondent to complete the disciplinary proceedings pending against him within a stipulated time.

3. From the averments in the affidavit it is seen that the petitioner himself has filed O.A.No.3903 of 2003 on the file of the Tamil Nadu Administrative Tribunal and obtained stay of disciplinary proceedings. In the said order, the Tamil Nadu Administrative Tribunal has directed the respondent not to proceed with the disciplinary proceedings till the disposal of the criminal case. In view of the order dated 02.12.2003 passed by the Tribunal, the petitioner is not entitled to the relief now sought for.

4. In the result this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

gsa

To

The Joint Commissioner of Police
North Zone, Greater Chennai Police
Thiruvottriyur High Road,
Tondiarpet,
Chennai.

+1cc to Mr.J.Deliban, Advocate, S.R.No. 56577
+1cc to the Government Pleader, S.R.No. 56898

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RSI (CO)
GN(16/08/2019)