

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25-03-2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 18036 of 2018

M.Sankar

...Petitioner

Vs

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
2. The Superintendent of Police,
Krishnagiri District, Krishnagiri.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to finalise the disciplinary proceedings initiated against the petitioner in PR.No.26/M2/2002 dated 25.02.2002 by the 1st respondent within a limited time frame falling which the charge memo shall stand automatically quashed.

For Petitioner : Mr.R.Dhanasekar

For Respondents : Mr.P.Rajalakshmi
Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is to direct the second respondent to finalise the disciplinary proceedings initiated against the petitioner in PR.No.26/M2/2002 dated 25.02.2002 by the first respondent.

2. The departmental disciplinary proceedings initiated against the police constable for personal vengeance is kept pending for more than 16 years. When this Court questioned the inaction of the department in concluding the departmental disciplinary proceedings for about 16 years, the Administrative Officer of the District Police Office has filed an affidavit stating that on account of pioneer of the Districts as Dharmapuri and Krishnagiri, the files were found missing and the

department was not in a position to get back the files. Finally Files are re-constructed and actions were initiated.

3. However, the authorities competent now initiated an action to cancel the P.R.No.M2/26/2002 dated 25.02.2002 issued under the Rule 3(b) of the TNPSS (Discipline & Appeal) Rules against the writ petitioner through proceedings in 10.01.2019.

4. Consequent to the cancellation of the disciplinary proceedings, the period of suspension was also regulated for all purposes in proceedings dated 10.01.2019 itself. However, consequential benefits are also granted. This apart, the officials who are all responsible for the lapses are also issued with the show cause notice under Rule 17-A of the Tamil Nadu Civil Services[Discipline and Appeal] Rules. Under these circumstances, the grievances of the writ petitioner has been redressed and the department has initiated action against the officials who are all responsible for such lapses. Thus, no further adjudication needs to be entertained in respect of the ground raised in the present writ petition and accordingly, the writ petition stands disposed of.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssb/kmm

To

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2. The Superintendent of Police,
Krishnagiri District, Krishnagiri.

+1cc to Mr.R.Thamarai Selvan, Advocate Sr.27752
+1cc to the Government Pleader sr.28572

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kk[co]
srg 8/5/2019