



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.807 of 2016

and

W.M.P. (MD) No.637 of 2016

A.Chidambaram

... Petitioner

vs

1.The Commissioner of Police,
Law and Order,
Commissioner Office Campus,
Trichy.

2.The Assistant Commissioner of Police,
Cantonment Law and Order,
Trichy.

3.The Inspector of Police,
Control Room,
Traffic South Investigation,
Tiruchirappalli District,
Trichy.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first and second respondents to defer the departmental enquiry in (H1/PR No.22/15 u/r 3(b)), till the disposal of the criminal proceedings pending in C.C.No.91/15 before the learned Judicial Magistrate No.V, Trichy.

For Petitioner

: Mr.M.Siddharthan

For Respondents

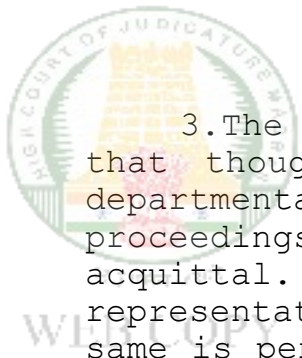
: Mr.C.M.Marichelliah Prabhu

Additional Government Pleader

ORDER

The Writ Petition is filed seeking a direction to the first and second respondents to defer the departmental enquiry in (H1/PR No.22/15 u/r 3(b)), till the disposal of the criminal proceedings pending in C.C.No.91/15 before the learned Judicial Magistrate No.V, Trichy.

2. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.



3. The learned Counsel appearing for the petitioner submitted that though the prayer in this writ petition is to defer the departmental enquiry proceedings, pending disposal of the criminal proceedings in C.C.No.91/2015, now the criminal case is ended in acquittal. Pursuant to the acquittal, the petitioner has made a representation dated 01.07.2018 to the first respondent and the same is pending and hence, he seeks a direction for disposal of the representation.

4. In such view of the matter, without going into the merits of the petitioner's case, the first respondent is directed to consider the representation of the petitioner dated 01.07.2018, if it is pending and pass appropriate orders on merits and in accordance with law, after due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

5. The Writ Petition stands disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

To

1. The Commissioner of Police,
Law and Order,
Commissioner Office Campus,
Trichy.

2. The Assistant Commissioner of Police,
Cantonment Law and Order,
Trichy.

3. The Inspector of Police,
Control Room,
Traffic South Investigation,
Tiruchirappalli District,
Trichy.

+1 CC to M/s.M.SIDDHARTHAN, Advocate (SR-51925[F]

+1 CC to M/s.SPL GP (SR-52238[F] dated 07/03/2019)

kk/01.04.2019/2p/6c

W.P(MD) No.807 of 2016