



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **13.11.2019**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.A. (MD)No.1197 of 2019

M.Ramasamy

... Appellant/Petitioner

Vs.

1.The Principal Secretary to Government,
Home Department (Police),
Fort St.George,
Chennai-9.

2.The Director General of Police,
Tamil Nadu, Chennai.

3.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.

4.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.

5.The Deputy Superintendent of Police,
Thoothukudi Rural,
Thoothukudi District.

..Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letter Patent Act, to set aside the order dated 19.06.2019 made in W.P.(MD) No.13618 of 2012 on the file of this Court and allow this appeal.

Prayer in WP(MD). 13618/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records of proceedings of 4th Respondent in P.R No. 109/2010 dated 11.01.2011 confirmed in C.No.C4/AP.59/2011 dated 20.04.2011 issued by the 3rd respondent and rejection of review in Rc.No.278143/AP2(1)/2011 dated 06.09.2012 issued by the 2nd responent respectively and quash the same and consequently direct the respondent to pay the petitioner regular increment without any stoppage and thus render justice.



For Appellant

: Mr.K.P.Krishna Doss

For Respondents

: Mr.A.Muthukaruppan
Additional Government Pleader

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JUDGMENT

[Judgment of this Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.K.P.Krishna Doss, learned Counsel for the appellant and Mr.A.Muthukaruppan, learned Additional Government Pleader for the respondents. By consent on either side, this writ appeal is taken up for final disposal.

2. The petitioner filed writ petition challenging the order and punishment imposed on him for the charge of dereliction of duty. The punishment is a minor penalty, which was confirmed by the Appellate Authority. Challenge to the said order of punishment was unsuccessful before the learned writ Court. Now the appellant is before us stating that the punishment is excessive.

3. There is no infraction of the procedure to be required to be followed under Rule 3(a) of the Tamil Nadu Police Subordinate Service Rules. In the light of the same, we cannot interfere with the order of punishment imposed by the disciplinary authority as confirmed by the Appellate Authority.

4. The learned writ Court has also taken into consideration the seriousness of the case and quantum of punishment and dismissed the writ petition. We do not propose to interfere with the order of the learned writ Court. Accordingly, this writ appeal is dismissed. However, if the Service Rules provides any further remedy as against the order passed by the Deputy Inspector General of Police, it is open to the appellant to avail such remedy, if so advised. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Principal Secretary to Government,
Home Department (Police),
Fort St.George, Chennai-9.

2.The Director General of Police,
Tamil Nadu, Chennai.

3.The Deputy Inspector General of Police,
Tirunelveli Range, Tirunelveli.

4.The Superintendent of Police,
Thoothukudi, Thoothukudi District.

5.The Deputy Superintendent of Police,
Thoothukudi Rural,
Thoothukudi District.

+1 CC to Mr.K.P.KRISHNADOSS, Advocate (SR-98116[F] dated
14/11/2019)

+1 CC to M/s.GP (SR-98388[F] dated 14/11/2019)

ORDER MADE IN
W.A. (MD)No.1197 of 2019
13.11.2019

_KM/ (26.11.2019) 3P 8C