



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD)No.18381 of 2017

and

W.M.P(MD)No.14819 of 2017

K.Murugapandian

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Deputy Commissioner of Police,
Crime and Traffic,
Tirunelveli City,
Tirunelveli.

3.The Assistant Commissioner of Police,
Crime, Tirunelveli City,
Tirunelveli.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to include the second respondent as one of the witness in the Disciplinary Proceeding in No.K1/PR.02/2016 dated 29.01.2016 based on the petitioner's application dated 19.08.2017 and consequently direct the third respondent to examine the second respondent as prosecution witness by giving all the opportunities to the petitioner and to proceed the enquiry within the time frame.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.V.Anand,
Government Advocate

ORDER

The present writ petition is filed for a direction to the first respondent to include the second respondent as one of the witness in the Disciplinary Proceeding in No.K1/PR.02/2016 dated 29.01.2016, considering the representation of the petitioner, dated 19.08.2017.

2. It is for the respondents to decide whom to be examined to substantiate the charges levelled against the petitioner. The petitioner cannot compel the respondents to examine any particular person on behalf of the department. Further, in this case,



departmental enquiry has been concluded and enquiry officer has filed a report on 29.11.2017.

3. In view of the above, the writ petition is dismissed. No costs.* Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar (CS)

am
To

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Deputy Commissioner of Police,
Crime and Traffic,
Tirunelveli City,
Tirunelveli.

3.The Assistant Commissioner of Police,
Crime,
Tirunelveli City,
Tirunelveli.

+1 CC to Mr.ANANTH C.RAJESH, Advocate (SR-95785[F] dated
04/11/2019)

+1 CC to M/s.SPL GP (SR-96044[F] dated 05/11/2019)

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