

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 17.07.2020

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.12674 OF 2013

I.Kader Batcha
S/o Ibrahim
Inspector of Police, (Crime)
Pallavaram P.S.
Greater Chennai City. .. Petitioner

- Vs -

- 1.The Secretary to Government,
Home (Police IV) Department,
Fort St George, Chennai 9.
- 2.The Director General of Police,
Chennai-4.
- 3.The Inspector General of Police,
Civil Supplies CID
Chennai 35.
- 4.The Inspector General of Police,
Economic Wing I
Anna Nagar, Chennai 40
5. The Joint Commissioner of Police
South Zone,
Greater Chennai Police,
Chennai. .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus to direct the to directing the respondents to pass orders on the disciplinary proceedings initiated by the 3rd respondent in P.R. No. 6/7, within the stipulated time .

For Petitioner : Mr.K.Venkataramani, SC for
Mr. M. Muthappan

For Respondents: Mr.S.Thangavel, Spl.G.P.

ORDER

The present writ petition has been filed by the petitioner to direct the respondents to pass orders on the disciplinary proceedings initiated by the 3rd respondent in P.R. No. 647, within the stipulated time .

2. The case of the petitioner is that the petitioner entered service as a directly recruited Sub-Inspector of Police and appointed in the year 1987 and thereafter, promoted as Inspector of Police in the year 1998. While he was in service, the petitioner was falsely implicated in a criminal case preferred by one Samsudean under Section 7 of the Prevention of Corruption Act. The charge against the petitioner is that he demanded illegal gratification for releasing the barrels, for which a criminal case was registered and after investigation, a charge sheet was filed in Special C.C. No. 7 of 2008 and after trial, the petitioner was acquitted.

3. The petitioner sent a representation on 12.01.2011 to the 1st respondent. In the mean time the criminal case ended in acquittal and the petitioner is due for promotion as DSP by including his name in the panel of the year 2009 as his juniors have already been promoted. However, no orders have been passed in the departmental proceedings initiated against the petitioner. Therefore, left with no other option, the petitioner has come before this Court by filing the present petition.

4. Learned Senior Counsel appearing for the petitioner submitted though larger relief has been prayed for, however, it would suffice if this Court issues a direction to the Disciplinary Authority to pass orders in P.R.No.6/7, within a reasonable time.

5. On the above limited request of the petitioner, this Court heard the learned Special Government Pleader appearing for the respondents, who has no objection to the passing of an order as sought for.

6. In such view of the matter, this Court without going into the merits of the issue, directs the Disciplinary Authority to pass orders on the disciplinary proceedings initiated against the petitioner, if not already passed, in accordance with law, within a period of three months from the date of receipt of a copy of this order.

7. The writ petition is disposed of with the aforesaid observations and directions. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

jrs

To

- 1.The Secretary to Government,
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Fort St George, Chennai 9.
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Chennai-4.
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Anna Nagar, Chennai 40
5. The Joint Commissioner of Police
South Zone,
Greater Chennai Police,
Chennai.

+1cc to Mr.M. Muthappan, Advocate SR.No.24854

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RLD (CO)
GMY (06/08/2020)

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