

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.09.2020

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

Writ Petition No.11607 of 2020
and W.M.P.Nos.14232 and 14233 of 2020

Mr.Nitheesh K.Jose,
Quarter No.338, Type - II,
Central Training College - II,
CRPF Coimbatore,
Tamil Nadu - 641 017.

... Petitioner

-Vs-

1. Union of India,
Represented by its Secretary,
Ministry of Home Affairs,
North Block,
New Delhi - 110 001.
 2. The Commandant, CRPF,
Central Training College - II,
CRPF Coimbatore, Tamil Nadu - 641 017.
 3. The Deputy Inspector General/ CRPF
Peringom PO, Aravanchal, Kannur District.
Kerala-670 353
 4. The Inspector General of Police,
IGP/Principal,
Central Training College - II,
CRPF Coimbatore, Tamil Nadu - 641 017.
 5. The Inspector General/Director Medical,
CGO Complex, Lodhi Road,
New Delhi - 110 003.
 6. The Director General / CRPF,
CGO Complex, Lodhi Road,
New Delhi - 110 003.
- ... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records of the 4th respondent contained in its order dated 22.06.2020 bearing No. P VIII-05/2020-EC-1, extending the

Petitioner's suspension, and to quash the same as arbitrary, unjust and illegal.

For Petitioner : Mr.Suhrith Parthasarathy

For Respondents : Mr.V.Ashok Kumar
Central Government Standing Counsel

O R D E R

The matter was taken up through Web-hearing.

2. The petitioner is working as Sub Inspector of Police in Central Reserve Police Force (CRPF) and he is presently serving in the CRPF Training Centre, Coimbatore. On 24.03.2020, the petitioner was placed under suspension in regard to a very minor incident which is said to have taken place on 23.03.2020. The order of suspension was continued and after review, a decision was taken to extend the suspension order from 23.06.2020 for a period of 90 days or till finalisation of the departmental proceedings initiated against him whichever is earlier.

3. Mr.Suhrith Parthasarathy, learned counsel for the petitioner would submit that for a very trivial incident, the CRPF administration has taken a harsh decision in placing the petitioner under suspension which is in fact not called for at all. The suspension order states that departmental enquiry against him is being contemplated and pending. According to the learned counsel, the petitioner being upset with the drastic decision of the authority concerned, has also submitted a letter requesting the authority to discharge him from service. According to the learned counsel, even that has been refused.

4. Learned counsel would further submit that the petitioner is innocent and has been wrongly implicated in the allegations which is the basis of the suspension order, and would request this Court to direct the authority concerned for early completion of the disciplinary action stated to be pending against him so that he could be assured of his status hereafter at an early point of time.

5. On notice, Mr.V.Ashok Kumar, learned Central Government Standing Counsel entered appearance and requested some time for filing counter. However, in view of the request made by the learned counsel for the petitioner herein, this Court feels that the matter need not be adjourned for this purpose. Hence,

without going into the correctness of the order impugned in the writ petition, the writ petition is disposed of as under.

6. The second respondent or any other competent authority is directed to expedite the disciplinary action stated to be pending against the petitioner and complete the same within a period of eight weeks from the date of receipt of a copy of this order. The second respondent is also directed to comply with due process of law while conducting and completing the departmental action against the petitioner.

7. The writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

KST
To

1. The Secretary
Union of India,
Ministry of Home Affairs,
North Block,
New Delhi - 110 001.
2. The Commandant, CRPF,
Central Training College - II,
CRPF Coimbatore, Tamil Nadu - 641 017.
3. The Deputy Inspector General/ CRPF
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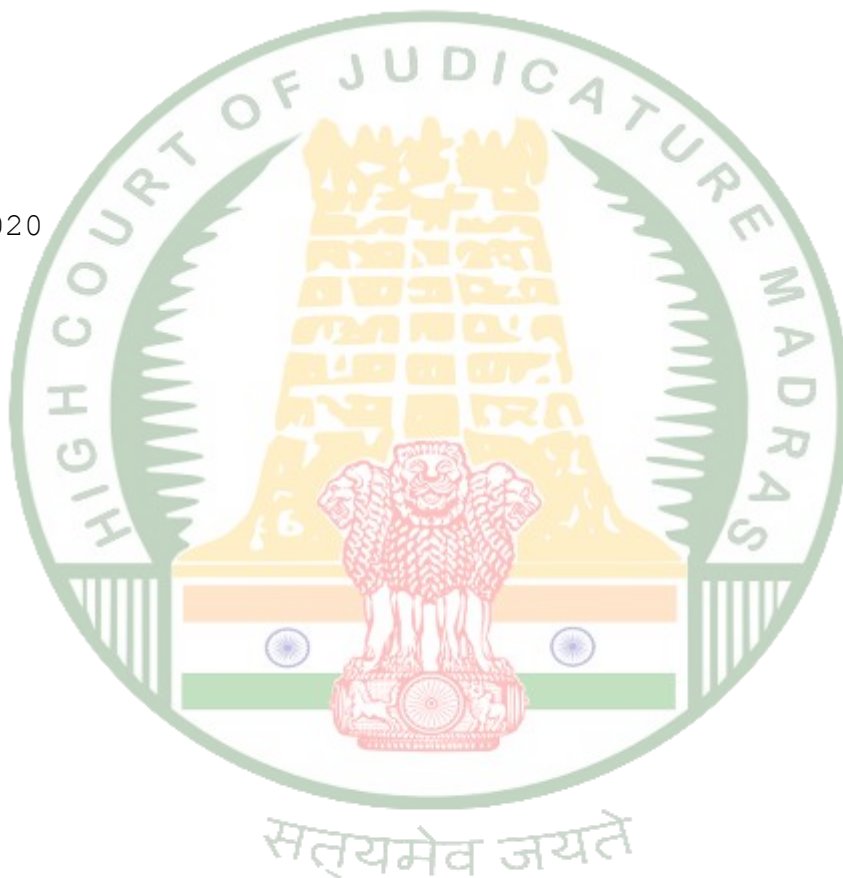
5. The Inspector General/Director Medical,
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6. The Director General / CRPF,
CGO Complex, Lodhi Road,
New Delhi - 110 003.

+1 cc to Mr.V.Ashok kumar Advocate sr31955

W.P.No.11607 of 2020

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