



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.01.2020**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P. (MD) No.657 of 2020

and

W.M.P (MD) No.488 of 2020

WEB COPY

Kittamanikandan

... Petitioner

/vs./

- 1.The Director General of Police,
Kamarajar Salai,
Chennai-4.
- 2.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.
- 4.The Commander,
Tamil Nadu Special Police IX Battalion,
Manimutharu,
Tirunelveli District.
- 5.The Assistant Commander,
Tamil Nadu Special Police IX Battalion,
Manimutharu,
Tirunelveli District.
- 6.The Inspector of Police,
Medical College Police Station,
Tirunelveli City,
Tirunelveli.
Crime No.52 of 2019

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari, calling for the records pertaining to the impugned order in த.ப.எண் :17/2019 வித 3(ஆ) dated 21.11.2019 passed by the fourth respondent and quash the same as unconstitutional.

For Petitioner : Mr.J.Sivaram

For Respondents : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

ORDER

The grounds raised by the petitioner touching upon the merits of the criminal case may not be proper grounds for interference to



the framing of charges in view of the limited power of this Court under Article 226 of the Constitution of India with regard to the quashing of a charge memo.

2.The learned counsel for the petitioner would submit that the petitioner is medically unfit to appear before the Enquiry Officer for the next date of enquiry which is scheduled to be held on 22.01.2020.

3.If the petitioner is not in a position to attend the enquiry owing to his medical condition, it is always open to him to make an appropriate application seeking for adjourning the enquiry to some other date. In case of any such representation is made seeking for adjournment of the enquiry, the fourth respondent herein shall consider the same sympathetically and on its own merits.

4.With the above observations, this Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

cp

To:-

- 1.The Director General of Police,
Kamarajar Salai, Chennai-4.
- 2.The Deputy Inspector General of Police,
Tirunelveli Range, Tirunelveli.
- 4.The Commander,
Tamil Nadu Special Police IX Battalion,
Manimutharu,
Tirunelveli District.
- 5.The Assistant Commander,
Tamil Nadu Special Police IX Battalion,
Manimutharu,
Tirunelveli District.



6.The Inspector of Police,
Medical College Police Station,
Tirunelveli City, Tirunelveli.

+1 CC to SPL.GP (SR-1937[F] dated 20/01/2020)

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Order made in
W.P. (MD) No.657 of 2020
10.01.2020

KM/(06.02.2020) 3P 8C