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W.P.(MD) Nos.902 & 903 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.07.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)Nos.902 and 903 of 2019

and

W.M.P.(MD) Nos.729, 730 and 731 of 2019

(Through Video conferencing)

M.Anbuchelvan

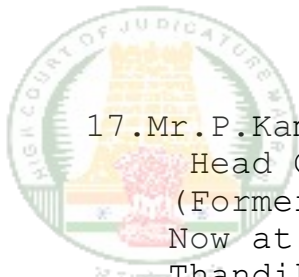
...Petitioner in both petitions

-Vs-

- 1.The State of Tamil Nadu
represented by its
The Principal Secretary to Government,
Home Department, Fort St. George,
Secretariat, Chennai - 600 009.
- 2.The State of Tamil Nadu
represented by its
The Chief Secretary to Government,
Vigilance Commissioner and Commissioner
for Administrative Reforms, (FAC)
Fort St. George, Secretariat,
Chennai - 600 009.
- 3.The State of Tamil Nadu
Represented by its
The Secretary to Government,
Personnel and Administrative Reforms Department,
Fort St. George, Secretariat,
Chennai - 600 009.
- 4.The State of Tamil Nadu,
represented by its Under
Secretary to Government,
Home Department,
Fort St. George, Secretariat,
Chennai - 600 009.
- 5.The State of Tamil Nadu,
represented by its Deputy
Secretary to Government,
Home Department,
Fort St. George, Secretariat,
Chennai - 600 009.



- 6.The State of Tamil Nadu,
Represented by its
The Additional Chief Secretary to Government,
Home (Pol-VI) Department,
Fort St. George, Secretariat,
Chennai - 600 009.
- 7.The Director General of Police,
Office of the Director General of Police,
Police Headquarters, Mylapore,
Chennai - 600 004.
- 8.The Director,
Directorate of Vigilance and Anti Corruption,
No.293, MKN Road, Alandur,
Chennai - 600 016.
- 9.The Additional Director General of Police,
Office of the Director General of Police,
(Law and Order), Police Headquarters,
Mylapore, Chennai - 600 004.
- 10.The Inspector General of Police,
South Zone, Madurai.
- 11.The Deputy Inspector General of Police,
Trichy Main Road, Dindigul Range,
Dindigul District.
- 12.The Deputy Inspector General of Police,
Ramanathapuram Range,
Ramanathapuram District.
- 13.The Superintendent of Police,
Dindigul District, Dindigul.
- 14.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 15.Mr.Palanikumar,
The Enquiry Officer,
Additional Superintendent of Police,
Theni, Theni District.
- 16.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Department,
Dindigul, Dindigul District. ... Respondents 1 to 16 in
both petitions



17.Mr.P.Kamaladass,
Head Constable No.488,
(Formerly Kannivadi Police Station)
Now at Thandikudi Police Station,
Thandikudi, Dindigul District.

...Respondent No.17 in
W.P.No.902/2019

18.Mr.Thiruvanantham,
S/o.Gurusamy,
Inspector of Police,
(Formerly Kannivadi Police Station)
Now at Ramanathapuram,
through Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

... Respondent No.17 in
W.P.No.903/2019

Prayer in W.P.(MD) No.902 of 2019: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the entire records relating to the impugned suo-moto review proposal letter dated 12.07.2018 made in C.No.F1/PR-04/2017, issued by the Superintendent of Police, Dindigul District/13th respondent and to quash the same and consequently direct the 12th respondent herein to award appropriate punishment in terms of the proved charge under Rule 3(b) of Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules which attracting major penalty.

Prayer in W.P.(MD) No.903 of 2019: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the entire records relating to the impugned enquiry report dated 27.09.2017 in P.R.No.3 of 2017 Rule 3(b) issued by the 15th respondent and original "F" order issued by the 12th respondent dated 11.05.2018 in C.No.B1/10987/2017-1, P.R.No.03/2017, u/r 3(b) of Dindigul District, and to quash the same and consequently this Court appoint any other independent committee to conduct fresh departmental/disciplinary enquiry insofar as relating to P.R.No.3 of 2017 against the 17th respondent herein in respect of Rule 3(b) of Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules which attracting major penalty.

For Petitioner : Mr.S.Muthukumar
For Respondents : Mr.M.Jeyakumar, AGP

ORDER

The learned counsel appearing for the petitioner submits that he was instructed to withdraw these writ petitions and he has also given a letter dated 21.07.2020 to that effect. Recording the said submission of the learned counsel for the petitioner as well as the letter he has given, these writ petitions are dismissed as



withdrawn. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

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Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Principal Secretary to Government,
The State of Tamil Nadu
Home Department, Fort St. George,
Secretariat, Chennai - 600 009.
2. The Chief Secretary to Government,
The State of Tamil Nadu
Vigilance Commissioner and Commissioner
for Administrative Reforms, (FAC)
Fort St. George, Secretariat, Chennai - 600 009.
3. The Secretary to Government,
The State of Tamil Nadu,
Personnel and Administrative Reforms Department,
Fort St. George, Secretariat,
Chennai - 600 009.
4. The Under Secretary to Government,
State of Tamil Nadu,
Home Department,
Fort St. George, Secretariat,
Chennai - 600 009.
5. The Deputy Secretary to Government,
State of Tamil Nadu,
Home Department,
Fort St. George, Secretariat,
Chennai - 600 009.
6. The Additional Chief Secretary to Government,
State of Tamil Nadu, Home (Pol-VI) Department,
Fort St. George, Secretariat, Chennai - 600 009.



7.The Director General of Police,
Office of the Director General of Police,
Police Headquarters, Mylapore,
Chennai - 600 004.

8.The Director,
Directorate of Vigilance and Anti Corruption,
No.293, MKN Road, Alandur,
Chennai - 600 016.

9.The Additional Director General of Police,
Office of the Director General of Police,
(Law and Order), Police Headquarters,
Mylapore, Chennai - 600 004.

10.The Inspector General of Police,
South Zone, Madurai.

11.The Deputy Inspector General of Police,
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Dindigul District.

12.The Deputy Inspector General of Police,
Ramanathapuram Range,
Ramanathapuram District.

13.The Superintendent of Police,
Dindigul District, Dindigul.

14.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

15.The Enquiry Officer,
Additional Superintendent of Police,
Theni, Theni District.

16.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Department,
Dindigul, Dindigul District.

+2 CC to Mr.S. MUTHUKUMAR, Advocate (SR-13270,13271[F] dated
28/07/2020)

Order made in
W.P. (MD) Nos.902 and 903 of 2019
28.07.2020

VB (06.08.2020) 5P 19C