



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P. (MD)No.238 of 2014

and

M.P. (MD)No.1 of 2014

Lieutenant Colonel. S.Ganesan(Rtd) ... Petitioner

Vs.

- 1.The State of Tamil Nadu,
represented by its Chief Secretary,
Secretariat, Fort St.George,
Chennai-600 009.
- 2.The State of Tamil Nadu,
represented by the Home Secretary,
Department of Home, Fort St.George,
Chennai-600 009.
- 3.The Director General of Police,
Office of the Director General of Police,
Beach Road, Mylapore,
Chennai-600 004.
- 4.The Deputy Inspector General of Police,
O/o the Deputy Inspector General of Police,
Madurai Range, New Natham Road,
Madurai.
- 5.The District Collector,
Collectorate, Virudhunagar District.
- 6.The Superintendent of Police,
O/o the Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 7.The Revenue Divisional Officer,
Revenue Divisional Office,
Aruppukottai, Virudhunagar District.
- 8.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.



- 9.Kumaravel,
Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District
presently working at
District Crime Branch,
Nagercoil.
- 10.Jeyaseelan,
Sub-Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District
presently working at
Special Cell, SP Security,
Office of Commissioner of Police,
Egmore, Chennai.
- 11.Ramar,
Grade II Police Constable(1847),
Aruppukottai Town Police Station,
Virudhunagar District
presently working at
Aruppukottai Town Police Station,
Virudhunagar District.
- 12.Elangovan
Head Constable,
Presently working at
Aruppukottai Town Police Station,
Virudhunagar District.
- 13.Gurusamy,
Grade II Police Constable(631),
presently retired
Notice sent through
The Superintendent of Police,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 to 6 to conduct and complete the departmental enquiry against the erring police officials shown as accused in the case in C.C.No.207 of 2012 pending before the learned Judicial Magistrate, Aruppukottai, Virudhunagar District under Tamil Nadu Police Subordinate Services Discipline and Appeal Rules 1955, within the stipulated time as fixed by this Court.

For Petitioner : Mr.G.Karthick
for M/s T.Lajapathi Roy



For Respondents : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader
for R.1 to R.8

: No Appearance for R.9 to R.13

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ORDER

The relief sought for in the present writ petition is for a direction to direct the respondents 1 to 3 to conduct and complete the departmental enquiry against the erring police officials shown as accused in the case in C.C.No.207 of 2012 pending before the learned Judicial Magistrate, Aruppukottai, Virudhunagar District.

2. The grievance of the petitioner is that he was brutally attacked by the police officials in his native place at Aruppukottai. The narration of the incident by the petitioner reveals that there was an exchange of attacks between the policemen as well as other group of people. Two criminal cases were registered by the jurisdictional police and a counter complaint was given by the writ petitioner which was also registered and a criminal investigation was conducted. Subsequently both the criminal cases were quashed by the High Court in CrI.O.P.(MD) Nos.20970 of 2013 and 4423 of 2015, dated 26.04.2018.

3. In view of the fact that the criminal cases were quashed by the High Court, both the petitioner as well as the police officials were exonerated from the criminal allegations. Under these circumstances, the departmental proceedings cannot be continued against the police officials. Thus the relief as such sought for in the present writ petition cannot be granted and accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (CrI.Side)

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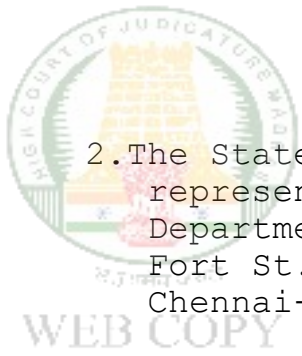
/ /2020

Sub Assistant Registrar(CS)

To

1.The State of Tamil Nadu,
represented by its Chief Secretary,
Secretariat, Fort St.George,

<https://hcservices.hcscs.gov.in/hcscs/Des009>.



- 2.The State of Tamil Nadu,
represented by the Home Secretary,
Department of Home,
Fort St.George,
Chennai-600 009.
- 3.The Director General of Police,
Office of the Director General of Police,
Beach Road, Mylapore,
Chennai-600 004.
- 4.The Deputy Inspector General of Police,
O/o the Deputy Inspector General of Police,
Madurai Range,
New Natham Road,
Madurai.
- 5.The District Collector,
Collectorate,
Virudhunagar District.
- 6.The Superintendent of Police,
O/o the Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 7.The Revenue Divisional Officer,
Revenue Divisional Office,
Aruppukottai,
Virudhunagar District.
- 8.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-20335[F] dated
16/10/2020)

W.P. (MD) No.238 of 2014
15.10.2020

SSL
SDS (02.11.2020) 4P-10C