



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2020

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD)No.4713 of 2016

Salamon

... Petitioner

Vs.

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Trichy, Trichy District.

2. The Superintendent,
District Prison, Pudukottai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to take necessary departmental action against the accused persons in Crime No.242 of 2015, on the file of the Keeranur Police Station, Pudukottai District, on the basis of the petitioner's representation dated 01.12.2015, within the stipulated time frame as fixed by this Court.

For Petitioner	:	Mr.G.Mathavan
For R-1 & R-2	:	Mr.S.Chandrasekar
		Additional Public Prosecutor

O R D E R

This Writ Petition has been filed to take necessary departmental action against the accused persons in Crime No.242 of 2015, on the file of the Keeranur Police Station, Pudukottai District, on the basis of the petitioner's representation dated 01.12.2015.

2. One Pavulin Mary, who worked as a Woman Constable at All Women Police Station, Thiruverumbur, alleging that she has taken site in a civil dispute between the petitioner and one Periyathambi and a case has been registered against the said Pavulin Mary and Bala @ Bala Subramanian, Grade II Constable in Crime No.242 of 2015, for the offences under Sections 294 (b), 323, 324 and 506 (ii) of I.P.C. Since the case has been registered against Pavulin Mary and Bala @ Balasubramanian, the petitioner herein has sought for a direction to take departmental action against them, pursuant to the registration of criminal



3. The learned Additional Public Prosecutor appearing for the State would submit that as far as Bala @ Bala Subramanian is concerned, after registration of this case, he abstained from duty and therefore, departmental action under Section 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, was initiated and cut off increment for three years with cumulative effect was ordered by the proceedings dated 07.09.2016. As far as Pavulin Mary is concerned, only the criminal case is registered and if at all any disciplinary action is required, it will be only after the outcome of the criminal case. Therefore, the petitioner requests to initiate the disciplinary action against the accused persons is pre-mature.

4. Considering the submissions made by the learned Additional Public Prosecutor and the averments made in the affidavit, this Court is of the opinion that the petitioner can revive his request, if necessary, after the criminal case registered against the said Pavulin Mary, reaches its logical end.

5. With the above observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Trichy, Trichy District.
2. The Superintendent,
District Prison, Pudukottai.
3. The Additional public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.MATHAVAN, Advocate (SR-10381[F] dated 06/03/2020)

Order made in

W.P. (MD)No.4713 of 2016

Dated: **05.03.2020**

tsg

AF (17.03.2020) 2P 5C
<https://hcservices.courts.gov.in/hcservices/>