



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN
AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

Writ Appeal No.773 of 2015

1. R.Devendran
2. S.Santhosh
3. G.L.Rao
4. V.Asaithambi
5. P.Ravindar
6. T.Trinayn Konwar
7. R.Ravi Pratap Singh Bhadonia ... Appellants

vs.

1. The Union of India,
Ministry of Home Affairs,
represented by the Deputy Inspector General,
Industrial Security Force Unit,
N.L.C. Neyveli,
Cuddalore District.
2. The Senior Commandant -
District Collector,
Central Industrial Security Force Unit,
N.L.C. Neyveli,
Cuddalore District. ... Respondents

Writ Appeal filed under Clause 15 of Letters Patent against the order dated 07.05.2015 passed by this Court in W.P.No.14190 of 2015.

Prayer in W.P.No.14190 of 2015: Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, Forbearing the respondents to proceed the Disciplinary proceedings pursuing to the show cause notice made in No.V.15014/CISF/ NLC/ Disc. Maj. (11 to 17) RO/SS/GLR/ ATV/R/TK /RPSB/2015/2815 to 2821 dated 23.4.2015 on the file of the 1st respondent herein pending disposal of the Criminal prosecution in Crime No.18 of 2015 on the file of Inspector of Police Mandarakuppam Police Station.



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For Appellants : Mr.R.Sankarasubbu

For Respondents : Ms.P.J.Anitha,
Central Govt. Standing Counsel

J U D G M E N T

(Judgment of the Court delivered by S.VAIDYANATHAN, J.)

Aggrieved by the order dated 07.05.2015 passed by the learned Single Judge in W.P.No.14190 of 2015, Writ Petitioners have come up with the present Appeal.

2. It is represented by the learned Central Government Standing Counsel appearing for the Respondents that, the punishment imposed on the Appellants is not a capital punishment of dismissal/removal from service.

3. Since punishment has already been imposed on the Appellants, we are not inclined to render any finding on merits in this Appeal. However, the Appellants are at liberty to challenge the order of punishment imposed on them and raise all the objections available to them, including the one that, has been taken by them in this Appeal.

4. Respondents are expected to ascertain as to whether the decision rendered by the Apex Court in the case of Union of India vs. Methu Meda (Civil Appeal No.6238 of 2021, dated 06.10.2021), is applicable to the facts of this case, in case, the order of punishment is questioned.

In fine, the Writ Appeal stands dismissed with the above observation. No costs. Consequently, connected M.P.No.1 of 2015 is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

(vm/aeb)



To:

1. The Union of India, Ministry of Home Affairs,
represented by the Deputy Inspector General,
Industrial Security Force Unit, N.L.C. Neyveli,
Cuddalore District.
2. The Senior Commandant - District Collector,
Central Industrial Security Force Unit,
N.L.C. Neyveli, Cuddalore District.

+2CCs to M/s.P.J.Anitha, Advocate, Sr.No.56416

Judgment in
W.A.No.773 of 2015

RSV (CO)
K.RK. (02.11.2021)