



WEB COPY

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2021

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.9156 of 2018
and Crl.M.P.No.4725 of 2018

V.Ranganathan

.. Petitioner

Vs.

State rep.by its
Assistant Commissioner of Police,
Social Justice and Human Rights Unit,
SC/ST Vigilance Cell,
Office of the Commissioner of Police,
Coimbatore.

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the enquiry summons Na.Ka.No.21/ACP-SJHR/SC/ST-Vigilance Cell/Cbe City/2017 dated 15.02.2018 pending on the file of the respondent herein and quash the same as illegal.

For Petitioner : Mr.N.Naganathan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.Side)

O R D E R

The petitioner has filed this petition to call for the records of the enquiry summons Na.Ka.No.21/ACP-SJHR/SC/ST-Vigilance Cell/Cbe City/2017, dated 15.02.2018, pending on the file of the respondent herein and quash the same.

2. The learned counsel appearing for the petitioner submitted that the present petition is filed challenging the impugned order dated 15.02.2018. When the matter was taken up for hearing on 23.03.2018, this Court has granted an order of interim stay of all the impugned proceedings dated 15.02.2018, pending on the file of the respondent. Despite the order of interim stay, the respondent Police had conducted enquiry and filed a report before the Adi Dravidar and Tribal Welfare Department in May 2018 and thereafter, the Secretary, Tamil Nadu State Level Scrutiny Committee, Directorate of Tribal Welfare, Chepauk, Chennai 600 005, has issued Show Cause Notice dated 04.06.2018 to the petitioner. He further submitted that challenging the said show cause notice, the petitioner has also filed W.P.No.16778 of 2018 before this Court.



3. The learned Government Advocate (Crl.Side) submitted that in view of filing of the Writ Petition, challenging the show cause notice, the petitioner may adjudicate the issue in the Writ Petition and thereby nothing survives for further adjudication before this Court in this Criminal Original Petition.

4. This Court has carefully considered the submissions made by the learned counsel on either sides.

5. Though it is claimed by the petitioner that the respondent, without taking into account the order of interim stay granted by this Court, had issued show cause notice, challenging the said notice, he had also filed Writ Petition before this Court. Hence, the petitioner is permitted to canvass the matter in the Writ Petition, as there is nothing survives for further adjudication in the present petition.

6. This Criminal Original Petition is closed with the above observations. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. Assistant Commissioner of Police,
Social Justice and Human Rights Unit,
SC/ST Vigilance Cell,
Office of the Commissioner of Police,
Coimbatore.

2. The Public Prosecutor, High Court, Madras.

3. The Secretary,
Tamil Nadu State Level scrutiny committee,
Directorate of Tribunal Welfare,
Chepauk, Chennai -05.

Crl.O.P.No.9156 of 2018

BS (CO)

B.VC(07.10.2021)