



WEB COPY

WA.[MD]No.1052 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A.[MD]No.1052 of 2021

and

C.M.P.[MD]No.4735 of 2021

- 1.The Deputy Inspector General of Police,
Madurai Region, Madurai.
- 2.The Superintendent of Police,
Virudhunagar,
Virudhunagar District.
- 3.The Additional Deputy Superintendent of Police (Crime),
Office of Superintendent of Police,
Virudhunagar,
Virudhunagar District. ... Appellants / Respondents

Vs.

G.Ramar

... Respondent / Writ Petitioner

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order dated 06.02.2020 in W.P.(MD)No.547 of 2020 on the file of this Court.

Prayer in WP(MD). 547/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to calling for the records relating to the impugned proceedings dt 25.5.2007 in PR no.68/2007 issued by the Deputy Inspector General of Police, Madurai range, Madurai and quash the same

For Appellants	: Mr.R.Baskaran
	Standing Counsel for Government
For Respondent	: Mr.N.Dilip Kumar

JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

We have heard Mr.R.Baskaran, learned Standing Counsel for Government appearing for the appellants and Mr.N.Dilip Kumar, learned Counsel appearing for the respondent / writ petitioner.

2.With the consent on either side, the writ appeal itself is taken up for final disposal.



3.This writ appeal is directed against the order, dated 06.02.2020 passed in W.P.[MD]No.547 of 2020.

4.The learned Single Bench had quashed the disciplinary proceedings initiated against the respondent / writ petitioner, by following the decision of the Division Bench in W.A.(MD) No.908 of 2017, dated 25.09.2019. This writ appeal was also filed by the appellants-department against the order, passed in W.P.(MD) No.9386 of 2016, dated 28.11.2016 filed by Mr.V.S.Elangovan - Head Constable. The facts are identical in both cases and the respondent / writ petitioner was a co-delinquent. Though separate charge proceedings were issued, the allegations were one and the same. Therefore, the reasons assigned by the Division Bench, in its Judgment, dated 25.09.2019, would equally applicable to the case on hand and therefore, we find that there is no error in the order passed by the learned Single Bench, in allowing the writ petition.

5.Accordingly, the writ appeal fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RM/rmi

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 Deputy Inspector General of Police,
Madurai Region, Madurai.

2.The Superintendent of Police,
Virudhunagar,
Virudhunagar District.



3.The Additional Deputy Superintendent of Police (Crime),
Office of Superintendent of Police,
Virudhunagar,
Virudhunagar District.

JUDGMENT MADE IN
W.A. [MD]No.1052 of 2021
02.06.2021

KM(14.06.2021) 3P 4C