



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Cont.P. (MD)No.478 of 2021

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Sundarapandian

... Petitioner

versus

1. Mr.Sylendra Babu, I.P.S.,
A.D.G.P.Civil Defence and Home Guards,
E.V.R.Maligai, Nandhanam,
Chennai - 35.
2. Mr.Perumal, I.P.S.,
Superintendent of Police,
Office of the Superintendent of Police,
Collectorate Complex,
Virudhunagar - 626 001.
3. Mr.Vinoth,
Deputy Superintendent of Police,
Collectorate Complex,
Virudhunagar - 626 001.
4. Mr.Ramkumar Raja,
The Area Commander,
Home Guard,
Rajapalayam,
Virudhunagar District.

... Respondents

Contempt Petition filed under Section 11 of Contempt of Courts Act, to initiate contempt proceedings against the contemnor herein for disobeying the order of this Court dated 07.11.2019 passed in W.P.(MD)No.23385 of 2015.

Prayer in WP(MD). 23385 of 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pursuant to the impugned order of the 2nd respondent bearing Na.Ka.No. E4/21772/2015 vide District Order No. 1730/2015 dated 03.11.2015 and quash the same with a further direction directing the 2nd respondent to reinstate the petitioner into service.



For Petitioner : Mrs.Porkodi Karnam
for M/s.Polex Legal Solutions

For Respondents: Mr.M.Muthugeethaiayan
Special Government Pleader

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ORDER

The petitioner herein filed a writ petition in W.P.(MD) No.23385 of 2015, challenging the termination order passed by the second respondent, dated 03.11.2015 and praying for reinstatement of service.

2. This Court, vide order dated 07.11.2019, quashed the impugned order and granted liberty to the respondents to initiate fresh proceedings after issuing charge memo specifying the charges.

3. The learned counsel appearing for the petitioner submitted that though the impugned order was quashed, the respondents have not taken any steps either to initiate fresh enquiry proceedings or reinstate the petitioner in service. Hence, the contempt petition has been filed.

4. Since it is the discretion of the authority to initiate fresh enquiry proceedings, the petitioner cannot compel the respondent to initiate fresh enquiry proceedings. Therefore, the Contempt Petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. Mr.Sylendra Babu, I.P.S.,
A.D.G.P.Civil Defence and Home Guards,
E.V.R.Maligai, Nandhanam,
Chennai - 35.
2. Mr.Perumal, I.P.S.,
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3. Mr.Vinoth,
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4. Mr.Ramkumar Raja,
The Area Commander,
Home Guard,
Rajapalayam,
Virudhunagar District.

+1 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate (SR-13958[F] dated 26/03/2021)

+1 CC to M/s.SPL GP (SR-14074[F] dated 29/03/2021)

Cont.P.(MD)No.478 of 2021
26.03.2021

tp(CO)
TR(24.04.2021) 3P 7C