



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:29.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P(MD)No.18997 of 2020

and

W.M.P(MD)No.15935 of 2020

P.Mohandoss

... Petitioner

Vs

1.The Additional Chief Secretary,
Home, Prohibition and Excise Department,
Fort St.George,
Chennai - 600 009.

2.The Director General of Police,
Tamil Nadu,
Chennai - 600 004.

3.The Commissioner of Police,
Madurai City,
Office of the Commissioner of Police,
Madurai.

4.The Deputy Commissioner of Police [L & O]
Madurai City, Madurai.

5. The District Collector,
Madurai District, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus, calling for the records of the impugned charge memo in D 1(2) Tha.Pa.No.109 of 2020 Rule 17(b) dated 20.10.2010 issued by the third respondent and all other connected proceedings thereto, quash the same and consequently direct the respondents herein to allow the petitioner to retire from service on the date of attaining the age of superannuation on 31.05.2021 and disburse all the consequential service benefits and the retiral benefits in time.

For Petitioner : Mr.M.Mubarak Ahamed
for M/s.Ahmed Associates

For Respondents : Mr.J.Ashok,
Additional Government Pleader



ORDER

This writ petition is filed challenging the charge memo dated 20.10.2010 issued on the petitioner and the other connected proceedings.

2. Though the prayer sought for in this petition, is larger in nature, the petitioner confines the prayer for a direction to conclude the enquiry as expeditiously as possible.

3. The learned Additional Government Pleader appearing for the respondent submitted that departmental proceedings were initiated against the petitioner, charge memo was issued and enquiry officer was also appointed on 16.12.2020 itself. Since interim of order of stay was granted by this Court, the enquiry could not be proceeded further.

4. In view of the above, without expressing anything on the merits of the case, this Courts directs the third respondent to proceed with the departmental proceedings initiated against the petitioner and conclude the same within a period of three months from the date of receipt of a copy of this order. The petitioner shall co-operate for the enquiry.

5. The writ petition is disposed of on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

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 Additional Chief Secretary,
Home, Prohibition and Excise Department,
Fort St. George, Chennai - 600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Director General of Police,
Tamil Nadu, Chennai - 600 004.

3.The Commissioner of Police,
Madurai City,
Office of the Commissioner of Police,
Madurai.

4.The Deputy Commissioner of Police [L & O]
Madurai City, Madurai.

5. The District Collector,
Madurai District, Madurai.

+1 CC to M/s.SPL GP (SR-36743[F] dated 01/12/2021)

W.P (MD) No.18997 of 2020

29.11.2021

USK (17.12.2021) 3P 7C