



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.11.2021**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.100 of 2018

and

W.M.P. (MD)No.112 of 2018

WEB COPY

G.Ramesh Gandhi

...Petitioner

/Vs./

The Commissioner of Police,
O/o. The Commissioner of Police,
Madurai City,
Madurai.

...Respondent

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, to call for the Impugned Order passed by the respondent in Na.Ka.No.T3/973/66035/2017/Kaa.Aa.Aa.No.1687/2017 dated 04.12.2017 and quash the same as illegal.

For Petitioner : No appearance
For Respondent : Mr.K.S.Selvaganesan
Standing Counsel for State

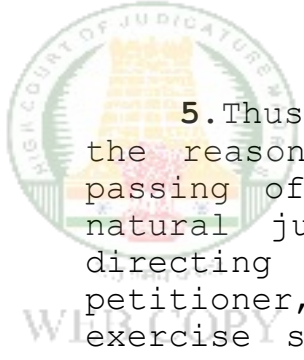
ORDER

The petitioner is called absent. This writ petition was part of a batch of five writ petitions bearing W.P.(MD)Nos.101 to 105 of 2018.

2.The facts and circumstances in all five matters are similar as may be seen from the orders of this Court, passed in W.P.(MD) Nos.101 to 105 of 2018 challenging orders passed by the Commissioner of Police, arrayed as respondent.

3.In the other five writ petitions, my predecessor has set aside the impugned order on the ground that no show cause notice had been issued to the petitioner prior to passing of the same. The impugned proceedings were set aside and the matters remitted to the respondent for fresh consideration, in accordance with law and after issuing show cause notice to the petitioner.

4.Mr.K.S.Selvaganesan, learned Standing Counsel appearing for the respondent would submit that *de novo* enquiry has been concluded in those matters, though adverse to those petitioners.



5.Thus, in the interest of uniformity and more importantly for the reason that no show cause notice has been issued prior to passing of the impugned order, which violates the principles of natural justice, I set aside impugned order dated 04.12.2017, directing the respondent to issue show cause notice to the petitioner, hear him and pass orders in accordance with law. This exercise shall be completed, within a period of six weeks from today.

6.This Writ Petition is disposed as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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

The Commissioner of Police,
O/o. The Commissioner of Police,
Madurai City, Madurai.

+1 CC to M/s.SPL.GP (SR-33756[F] dated 09/11/2021)

W.P. (MD) No.100 of 2018

08.11.2021

MGJ/JGB(17.11.2021) 2P 3C