



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2021

CORAM:

THE HONOURABLE DR JUSTICE ANITA SUMANTH

W.P. (MD) No.1763 of 2018

and

W.M.P (MD) No1887 of 2018

WEB COPY

E.Annaselvam

... Petitioner

Vs.

1.The Secretary to the Government,  
Home (Police VI) Department,  
Fort St.George,  
Chennai - 9.

2.The Director General of Police,  
Mylapore, Chennai.

3.The Additional Director General of Police,  
Mylapore, Chennai.

4.The Deputy Inspector General of Police,  
Madurai Range,  
1/c, The Commissioner of Police,  
Madurai City.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari to call for the records pertaining to the impugned proceedings of the fourth respondent in PR No.24/2003 dated 18.12.2003 and modified punishment order passed by the third respondent dated 10.04.2004 and further punishment order passed by the second respondent in RC Proceedings 181026/PRII (3) 2004 dated 07.10.2004 and impugned order of the first respondent in G.O.(MD)No.1302 dated 25.10.2017 and quash the same with all attendant monetary benefits.

For Petitioner : Mr.K.K.Ramakrishnan

For Respondents : Mr.D.Sadiq Raja

Additional Government Pleader

### **O R D E R**

Mr.Ramakrishnan, learned counsel for the petitioner states that a co-delinquent, one Rajendran had been visited with the identical punishment as imposed upon the present petitioner. The said Rajendran had challenged the imposition of punishment by way of writ petition in WP(MD) 14066 of 2010 and the writ petition had come to be allowed on 20.02.2014.



2. As against the aforesaid order, the Official respondents had preferred a Writ Appeal in W.A.(MD)No.1430 of 2014 and by order dated 19.09.2018, the Writ Appeal had come to be dismissed. In view of the admitted identity in factual as well as legal matrix between the said Rajendran and the present petitioner, the impugned order is liable to be quashed. I do so.

3. Let the retirement benefits of the present petitioner be computed and paid over to him within a period of eight(8) weeks from today. In the result, the Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

CM

TO

1.The Secretary to the Government,  
Home (Police VI) Department,  
Fort St.George,Chennai - 9.

2.The Director General of Police,  
Mylapore, Chennai.

3.The Additional Director General of Police,  
Mylapore, Chennai.

4.The Deputy Inspector General of Police,  
Madurai Range,  
1/c, The Commissioner of Police,  
Madurai City.

+1 CC to M/s.SPL GP ( SR-37923[F] dated 09/12/2021 )

+1 CC to M/s.K.K.RAMAKRISHNAN, Advocate ( SR-38057[F] dated  
09/12/2021 )

**W.P. (MD) No.1763 of 2018**  
**and W.M.P(MD)No1887 of 2018**  
**08.12.2021**

NA(CO)

TR(01.02.2022) 2P 7C