



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.1384 of 2020
and
W.M.P.No.1630 of 2020

R.Bhoomadevi

... Petitioner

vs.

The Joint Commissioner of Police,
South Zone, Greater Chennai Police,
Chennai - 16.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the respondent in connection with the impugned order passed by the respondent in Rc.No.225/16196/PR.I(S)/2019 S.Z.O.No.326/2019 dated 18.06.2019 and the subsequent rejection order passed by him in Endt.No.225/16196/PR.S(I)/2019 S.Z.O.No.564/2019 dated 02.10.2019 and to quash the same and to reinstate the petitioner into service with all attendant benefits.

For Petitioner : Mr.S.Sivakumar

For Respondent : Mr.Haja Nazirudeen
Additional Advocate General
Assistant by Mrs.S.Anitha
Special Government Pleader

O R D E R

This writ petition has been filed seeking to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in connection with the impugned order passed by the respondent in Rc.No.225/16196/PR.I(S)/2019 S.Z.O.No.326/2019 dated 18.06.2019 and the subsequent rejection order passed by him in Endt.No.225/16196/PR.S(I)/2019 S.Z.O.No.564/2019 dated 02.10.2019 and to quash the same and to reinstate the petitioner into service with all attendant benefits.



2. According to the petitioner, while the petitioner was working as Inspector of Police, S-8, Adambakkam Police Station, a criminal case has been registered against her in Crime No.14 of 2019 under Section 7 of the Prevention of Corruption (Amendment) Act, 2018 by the Vigilance and Anti-Corruption Department, which is pending before the concerned jurisdictional Criminal Court. According to the petitioner, the petitioner was placed under suspension by the respondent/department dated 18.06.2019. Subsequently, the petitioner was released on bail. According to the petitioner, the petitioner was not on the place of occurrence at the time of inspection conducted by the Vigilance and Anti-Corruption Department. However, the petitioner was placed under prolonged suspension by the respondent. Hence, she made a representation dated 06.08.2019 to the respondent for revocation of the aforesaid impugned suspension order, to pay subsistence allowance and to reinstate her into service. But so far no orders has been passed. Therefore, she filed the instant writ petition before this Court for the aforesaid prayer.

3. The learned Additional Advocate General appearing for the respondent would submit that the aforesaid issue would be decided based on the facts of the case and by relying upon the records. He would further submit that the petitioner's representation dated 06.08.2019 would be considered in the light of the decision rendered by the Hon'ble Full Bench of this Court in the case of P.Kannan vs. The Commissioner for Municipal Administration, Chennai (W.P.Nos.2165 of 2015 and 21628 of 2018 dated 15.03.2022).

4. Considering said fact, gravity of offence and the statement made in the counter affidavit filed by the respondent, this Court is inclined to direct the respondent to consider the petitioner's representation dated 06.08.2019 and pass appropriate orders in accordance with law, by taking note of the decision rendered by the Hon'ble Full Bench of this Court in the case of P.Kannan vs. The Commissioner for Municipal Administration, Chennai (W.P.Nos.2165 of 2015 and 21628 of 2018 dated 15.03.2022), as expeditiously as possible, within a period of twelve weeks from the date of receipt of a copy of this order. If necessary, the respondent shall provide opportunity to the petitioner for concluding the aforesaid issue.



5. With the above direction, the writ petition stands disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

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SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

dm

To

The Joint Commissioner of Police,
South Zone, Greater Chennai Police,
Chennai - 16.

+1cc to Mr.S.Sivakumar, Advocate Sr.25852
+1cc to the Government Pleader Sr.25949

W.P.No.1384 of 2020

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