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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.2089 of 2022

V.Azhagesan

... Petitioner

vs.

1.The State of Tamilnadu,
Represented by
Secretary to Government,
Home Department, Fort St.George,
Chennai-600 009.

2.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.

3.The Deputy Inspector General of Police,
Salem Region, Salem.

4.The Superintendent of Police,
Dharmapuri District, Dharmapuri.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to pass final orders on the enquiry proceedings in P.R.No.26/2017 under Rule 3(b) of the Tamil Nadu Police Subordinate Service (Discipline & Appeal) Rules, 1955 within a stipulated time.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.S.Rajesh,
Government Advocate



O R D E R

By consent, this writ petition is taken up for final disposal.

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2. According to the petitioner, charges were framed under Section 3(b) of the Tamil Nadu Police Subordinate Service (Discipline & Appeal) Rules, 1955 and an Enquiry Officer was appointed, who conducted the enquiry and submitted a report to the respondents holding that the charges framed against the petitioner were not proved. Based on the Enquiry Report, the second respondent/Director General of Police has passed an order allowing the petitioner to retire from service but the disciplinary action was allowed to continue as against the petitioner as per Rule 9 of Tamil Nadu Pension Rules, 1978 and P.R. File No.26 of 2017 in respect of the petitioner is sent to the Principal Secretary to Government, Public (I & O-A) Department, Secretariat, Chennai vide Proceedings in Rc.No.064436/Con.3(1)/2017 dated 29.11.2019 for review by the Government.

3. In the light of the above, this Court directs the first respondent to pass orders as early as possible on the aforesaid P.R. File No.26/2017 in respect of the petitioner, which was sent by the second respondent, if so far no final order has been passed.

4. With the above directions, this Writ Petition stands disposed of. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

Jvm
To

1.The Secretary to Government of TamilNadu,
Home Department, Fort St.George,
Chennai-600 009.

2.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.



3.The Deputy Inspector General of Police,
Salem Region, Salem.

4.The Superintendent of Police,
Dharmapuri District, Dharmapuri.

Copy to

The Principal Secretary to Government,
Public (I & O-A) Department,
Secretariat, Chennai.

+1cc to the Government Pleader Sr.9046
+1cc to Mr.C.Prabakaran, Advocate Sr.8927

W.P.No.2089 of 2022

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srg 23/02/2022