



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.3545 of 2022
and
W.M.P No. 4151 of 2022

S.Rani

... Petitioner

Vs.

The Deputy Inspector General of Police
Thanjavur Range
Thanjavur.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the respondent in C.No.B1/3620/2018 dated 23.04.2018 and to quash the same and consequently direct the respondent to reinstate the petitioner into service as Inspector of Police, with all consequential and other attendant benefits.

For Petitioner : Mr. G.Sankaran

For Respondents: Mr.T.Arunkumar
Additional Government Pleader

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. According to the writ petitioner, while the petitioner was working as Inspector of Police, All Women Police Station, Mayiladuthurai, a criminal case was registered for the alleged offence under Section 7 of P.C Act and subsequently, she was sent to judicial custody. In view of the involvement in the criminal case, the respondent placed the petitioner under suspension, by impugned proceedings dated 21.04.2018. The petitioner has been kept under suspension for more than 1-1/2 years. The order of suspension is liable to be reviewed in the absence of any charge sheet being laid within 3 months from the date of suspension. Therefore, she is entitled for revocation of



suspension order in the light of the Ajaykumar Choudry versus Union of India case. Hence, she made a representations on 12.06.2019 seeking to review the order of suspension and to reinstate her into service, but the same has not been considered. Challenging the aforesaid suspension order, the petitioner filed the present writ petition before this Court.

3. Mr.T.Arunkumar, learned Additional Government Pleader takes notice for the respondent and he submitted that a charge sheet has been filed against the petitioner and the same is under trial before the Chief Judicial Magistrate/Special Judge, Nagapattinam. in C.C.No.2 of 2009.

4. As seen from the records, the impugned suspension order has been passed against the petitioner by considering the gravity of the offence. Hence, this Court is not inclined to interfere with the impugned suspension order passed by the respondent.

5. At this stage, the learned counsel submitted that the trial has been commenced in the criminal case and therefore, a direction may be issued to the learned Chief Judicial Magistrate / Special Judge, Nagapattinam to dispose of the case in C.C No.2 of 2009 pending against the petitioner.

6. In view of the aforesaid submissions, this Court is inclined to pass the following order:

i) The learned Chief Judicial Magistrate / Special Judge, Nagapattinam, is directed to dispose of the case in C.C No.2 of 2009, as early as possible, more preferably, within a period of six months from the date of receipt of a copy of this order.

ii) The petitioner is directed to cooperate with the hearing before the said Court.

7. With the above direction, this writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Inspector General of Police
Thanjavur Range, Thanjavur.

2. The Chief Judicial Magistrate
Special Judge, Nagapattinam.

+1cc to Mr. G.Sankaran, Advocate, S.R.No.37118
+1cc to the Government Pleader, S.R.No.37622

W.P.No.3545 of 2020
and
W.M.P No. 4151 of 2020

GSM[co]
NSK/08/07/2022