



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.12318 of 2022

and

W.M.P.No.11767 of 2022

Mariya Usha

... Petitioner

vs.

1.The Director General of Police,
Tamil Nadu Police Department,
Mylapore,
Chennai.

2.The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 600007.

3.The Deputy Commissioner of Police,
Adyar Police District,
Adyar,
Chennai.

4.C.Pradeep Kumar

5.Kavitha Nandhan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondents 1 to 3 to initiate departmental action against the 5th Respondent for contracting marriage with the 4th Respondent, when the marriage between Petitioner and the 4th Respondent is in subsistence.

For Petitioner : Mr.K.Rajasekaran
for Mr.C.K.M.Appaji

For R1 to R3 : Mr.T.Chezhiyan
Additional Government Pleader



O R D E R

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the 1st to 3rd respondents to initiate departmental action against the 5th respondent for contracting marriage with the 4th respondent, when the marriage between the petitioner and the 4th respondent is in subsistence.

2. According to the petitioner, the petitioner has made representations dated 03.05.2017, 24.10.2018, 09.03.2020 and 23.11.2020 to the 1st and 2nd respondents to initiate departmental action as against the 4th and 5th respondents. However, till date, no order has been passed. Hence, the present writ petition has been filed before this Court.

3. The learned Additional Government Pleader appearing for the 1st to 3rd respondents, on instructions, would submit that the 3rd respondent/Department initiated disciplinary proceedings as against the 4th respondent and the said enquiry proceedings was concluded and by an order dated 29.03.2022, the 3rd respondent/Department has imposed the punishment as against the 4th respondent. Therefore, the final order has been passed.

4. According to the learned counsel appearing for the petitioner that the said order of punishment imposed by the 3rd respondent/Department as against the 4th respondent was not aware. Only now, he has come to know about the said order of punishment. Therefore, he seeks permission of this Court to withdraw the writ petition with liberty to file an appropriate writ petition as against the 5th respondent, if necessary. He has also made an endorsement in the court bundle to that effect.

5. Recording the above submission made by the parties and in view of the endorsement made by the learned counsel for the petitioner, this Writ Petition stands dismissed as withdrawn with liberty. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

dm



To

1.The Director General of Police,
Tamil Nadu Police Department,
Mylapore,
Chennai.

2.The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 600007.

3.The Deputy Commissioner of Police,
Adyar Police District,
Adyar,
Chennai.

+lcc to Mr.CKM.Appaji, Advocate, S.R.No.32496

+lcc to the Government Pleader, S.R.No.33048

W.P.No.12318 of 2022

SSD(CO)
SB(17/06/2022)