



W.P.No.32054 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.32054 of 2016

T.Kamarajan
Inspector of Police
(Now under suspension)
Natrampalli Police Station,
Vellore District.

...Petitioner

Vs.

1.State of Tamilnadu,
Rep.by its Principal Secretary,
Personnel and Administrative Reforms (N)
Department,
Fort St.George,
Secretariat, Chennai – 600 006.

2.The Deputy Inspector General of Police,
Vellore Range,
Vellore.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, call for the entire records relating to C.No.B2/15242/2015 dated 28.07.2016 on the file of the 2nd respondent quash the same, further directing the respondent to revoke the order of suspension and reinstate the petitioner in view of the circular Letter No.13519/N/2015-1 dated 23.7.2015 issued by the 1st respondent.



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W.P.No.32054 of 2016

For Petitioner : Mr.R.Ezhilarasan

For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

The order of suspension and the subsequent order, rejecting the application submitted by the petitioner to review the order of suspension are under challenge in the present writ petition.

2. The petitioner was working as Inspector of Police. A Criminal Case was registered by the Vigilance and Anti-Corruption Department, Vellore in Cr.No.13 of 2015 for the offences under Section 7 and 13 (2) read with 13 (1) (d) of Prevention of Corruption Act, 1988. The petitioner was arrested and remanded to judicial custody on 08.12.2015 and thereafter, came out on bail. Consequently, he was placed under suspension from service with effect from 08.12.2015 by the second respondent in proceedings dated 09.12.2015.

3. The petitioner sent a representation thereafter on 07.03.2016, to review the order of suspension. However, no order has been passed and



W.P.No.32054 of 2016

therefore, he filed a writ petition in W.P.No.20095 of 2016 and this Court disposed of the same on 15.06.2016, directing the 2nd respondent to consider the representation and the said representation was rejected by the respondents and consequently, the petitioner has chosen to file the present writ petition.

4. The learned Government Advocate appearing on behalf of the respondents mainly contended that the Criminal Case registered against the writ petitioner is still pending. The petitioner is under suspension for a continuous period and therefore, it is to be reviewed.

5. The learned counsel for the petitioner made a submission that the departmental enquiry proceedings initiated had already been concluded and Criminal Case is pending.

6. In view of the fact that the disciplinary proceedings initiated had already been concluded, no further consideration is required in the present writ petition. The authorities should ensure that the final orders in the disciplinary proceedings are passed, if not already passed.



W.P.No.32054 of 2016

7. With these observations, the writ petition stands disposed of. No costs.

01.11.2022

Index : Yes
Speaking order: Yes
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To

1. The Principal Secretary,
State of Tamil Nadu,
Personnel and Administrative Reforms (N)
Department,
Fort St. George,
Secretariat, Chennai – 600 006.

2. The Deputy Inspector General of Police,
Vellore Range,
Vellore.



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W.P.No.32054 of 2016

S.M.SUBRAMANIAM, J.

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W.P.No.32054 of 2016

01.11.2022