



WP(MD)No.16493 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.07.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.16493 of 2022
and
W.M.P.(MD)Nos.11917 & 11918 of 2022

Balaji

... Petitioner

/vs./

- 1.The Superintendent of Police,
Madurai, Madurai District.
- 2.The Deputy Superintendent of Police,
Thirumangalam Sub Division, Madurai District.
- 3.The Inspector of Police,
All Women Police Station,
(in Cr.No.1/2021),
Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records, pertaining to the impugned charge memo of the 1st Respondent vide his proceedings in Na.Ka.No.F3/Tha.Pa.No.26/2022 dated 10.05.2022, and quash the same as illegal and consequently direct the 1st and 2nd Respondents to defer all the further



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departmental proceedings in pursuant to C.No.F3/PR.26/2022 dated 06.06.2022 of the 1st Respondent until the conclusion of the criminal case in Spl.S.C.No.8 of 2022 on the file of the Special Court for Exclusive Trial under POSCO Act Cases, Sivagangai District upon the Crime Number 1 of 2021 registered by the third respondent, within a period of stipulated time limit as fixed by this Court.

For Petitioner : Mr.A.Prasanna Rajadurai

For Respondents : Mrs.D.Farjana Ghoushia

Special Government Pleader

ORDER

Since the petitioner herein had earlier filed a writ petition in W.P(MD)No. 14066 of 2022, wherein, the prayer was for issuance of Writ of Mandamus, directing the respondents 1 and 2 to defer all further proceedings in the charge memo, dated 06.06.2022, till the conclusion of the criminal case in Crime No.1 of 2022 on the file of the third respondent herein and the writ petition came to be dismissed on 04.07.2022, without granting liberty to the petitioner to file a fresh writ petition for the same cause of action, the present writ petition with the prayer to quash the charge memo, dated 10.05.2022, with consequential prayer to defer all further proceedings cannot be sustained.



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2. Apparently, though the prayer in the present writ petition is one for issuance of Certiorari to quash the charge memo and the earlier writ petition for the purpose of deferring, the effect of prayers sought for in both the Writ Petitions, are one and the same. Hence, without liberty being granted by this Court in the earlier writ petition, the present writ petition is not maintainable. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

27.07.2022

Index : Yes / No
Internet : Yes / No
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TO:

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M.S.RAMESH, J.

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Order made in
W.P.(MD)No.16493 of 2022

Dated:
27.07.2022