



W.P.(MD).No.18002 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.18002 of 2022

and

W.M.P.(MD).Nos.13143 and 13147 of 2022

G.Chakkaravarthy

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Home Department,
Secretariat,
Chennai – 600 009.
- 2.The Director General of Police,
O/o. the Director General of Police,
Tamil Nadu,
Chennai – 600 004.
- 3.The Additional Director General of Police,
O/o. the Director General of Police,
Law & Order,
Chennai-4.
- 4.The Inspector General of Police/Commissioner of Police,
Tirunelveli City,
Tirunelveli.



W.P.(MD).No.18002 of 2022

5.The Deputy Commissioner of Police,
O/o. the Deputy Commissioner of Police,
Law & Order,
Tirunelveli City,
Tirunelveli.

6.The Deputy Commissioner of Police/Enquiry Officer,
O/o. the Deputy Commissioner of Police,
Head Quarters,
Tirunelveli City,
Tirunelveli.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the sixth respondent vide his proceedings in C.No.K1/P.R.27/Tin-C/2021 dated 01.08.2022 and quash the same as illegal and consequentially to direct the respondent to furnish the documents referred to in the charge memo dated 22.10.2021 within the period that may be stipulated by this Court.

For Petitioner	: Mr.H.Mohammed Imran for M/s.Ajmal Associates
For Respondents	: Mr.M.Siddharthan, Additional Government Pleader.



W.P.(MD).No.18002 of 2022

ORDER

WEB COPY

Under Rule 3(b) of the Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules, 1955, as well as the Tamil Nadu Police Standing Order 88, the disciplinary authority is required to serve copies of all the documents relied upon by them in Annexure-III of the charge memo, dated 22.10.2021 and a mere perusal of such documents will not amount to service of all such documents. It is for non-furnishing of the documents, the present Writ Petition has been filed.

2. The learned Additional Government Pleader appearing for the respondents, on written instructions, submitted that the disciplinary authority is willing to serve copies of all the documents relied upon by them in the Annexure-III of the charge memo, dated 22.10.2021, passed under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955. In view of the submission made, the petitioner herein may not have any further grievance.



W.P.(MD).No.18002 of 2022

WEB COPY

3. Accordingly, there shall be a direction to the sixth respondent to forthwith serve copies of all the documents relied upon by them in Annexure-III of the charge memo, dated 22.10.2021, within a period of one (1) week from the date of receipt of a copy of this order. On receipt of such documents, the petitioner shall render his objections to the charge memo, dated 22.10.2021, within a period of fifteen (15) days from the date of receipt of the documents. Thereafter, it is open to the disciplinary authority to proceed further in the disciplinary proceedings in accordance with law.

4. This Writ Petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

17.08.2022

Index : Yes / No
Internet : Yes/ No
Lm



W.P.(MD).No.18002 of 2022

To

1. The Principal Secretary,
The State of Tamil Nadu,
Home Department,
Secretariat,
Chennai – 600 009.
2. The Director General of Police,
O/o. the Director General of Police,
Tamil Nadu,
Chennai – 600 004.
3. The Additional Director General of Police,
O/o. the Director General of Police,
Law & Order,
Chennai-4.
4. The Inspector General of Police/Commissioner of Police,
Tirunelveli City,
Tirunelveli.
5. The Deputy Commissioner of Police,
O/o. the Deputy Commissioner of Police,
Law & Order,
Tirunelveli City,
Tirunelveli.
6. The Deputy Commissioner of Police/Enquiry Officer,
O/o. the Deputy Commissioner of Police,
Head Quarters,
Tirunelveli City,
Tirunelveli.



WEB COPY



W.P.(MD).No.18002 of 2022

M.S.RAMESH, J.

Lm

W.P.(MD).No.18002 of 2022

17.08.2022