



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.01.2022**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.5396 of 2018

and

W.M.P. (MD)No.5334 of 2018

WEB COPY

M.Mohamed Khan

...Petitioner

/Vs./

The Deputy Inspector General of Police,
Tirunelveli Range,
I/C Commissioner of Police,
Tirunelveli City,
Tirunelveli,
Tirunelveli District.

...Respondent

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to proceedings of the respondent in C.No.K1/28145/2017 CPO:142/2018 dated nil.2.2018 signed on 27/2/2018 placing the petitioner under suspension from service with immediate effect and the proceedings of the respondent in C.No.K1/28145/2017 CPO:143/2018 dated nil.2.2018 signed on 27/02/2018 not permitting the petitioner to retire on reaching the date of superannuation on 28/02/2018 and quash the same and consequently to direct the respondents to allow the petitioner to retire from service with effect from 28.02.2018 with all consequential service and monetary benefits.

For Petitioner : Mr.V.Kannan

For Respondent : Mr.K.S.Selvaganesan

Additional Government Pleader

ORDER

Pending writ petition, a charge memo had been issued by the Additional Director General of Police in P.R.No.9 of 2018 in terms of Rule 3(b) of the Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules, 1955, dated 24.12.2018.

2.That charge memo was subject matter of challenge in W.P.(MD)No.516 of 2019 and by order dated 15.07.2021, this Court has quashed the charge memo granting liberty to proceed against the petitioner in terms of the relevant provisions of the Tamil Nadu Civil Services (Disciplinary Proceedings Tribunal) Rules, 1955 in the event the respondents so desired.

3.With the quashing the aforesaid charge memo, impugned order of suspension dated 27.02.2018 also goes. This writ petition is

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allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (W)

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/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Deputy Inspector General of Police,
Tirunelveli Range,
I/C Commissioner of Police,
Tirunelveli City,
Tirunelveli,
Tirunelveli District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.SPL.GP (SR-987[F] dated 10/01/2022)

W.P.(MD)No.5396 of 2018

Dated:

07.01.2022

MGJ(21.01.2022) 2P 4C