



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.21241 of 2021

WEB COPY

T.Subhashini

... Petitioner

-vs-

1.The Secretary to Government,
The Home Department,
State of Tamilnadu, Secretariat,
Fort.St. Geroge, Chennai-600 009.

2.The Director General of Police
(Law and Order),
O/o. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.

3.The Commissioner of Police,
Madurai City,
O/o. The Commissioner of Police,
Madurai.

4.The Deputy Commissioner of Police,
Madurai City,
O/o. The Commissioner of Police,
Madurai.

5.The Assistant Commissioner of Police,
O/o. The Assistant Commissioner of Police, Madurai.

6.R.Muthusangu

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 3rd respondent to conduct the proceeding / enquiry by himself in proceeding Ref.No. Na.Ka.No.D2/1/THAPA71/2021 Rule 3(a) and to dispose of the same within the time frame that may be fixed by this Court.

For Petitioner :	Mr.Niranjana S.Kumar
For RR1 to 5 :	Mr.A.K.Manikkam, Special Government Pleader
For R6 :	Mr.F.Deepak



O R D E R

Pursuant to the registration of criminal case in FIR No.13 of 2022, on the file of AWPS, Thallakulam, the petitioner, today, has handed over two mobile phones belonging to the 6th respondent to the Inspector of Police, Thallakulam, who acknowledged the same. The petitioner has further submitted a letter of withdrawal of her appeal filed against the minor punishment awarded in PR No.71/2021 under Rule 3(a) of the Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules 1955 (hereinafter referred to as "the TNPSS (D&A) Rules), as the punishment has already been set aside and *suo motu* review has been initiated by the competent authority and the charges were converted to 3(b). The Inspector of Police has to continue the investigation as expeditiously as possible by following the procedures as contemplated.

2.As far as the *suo motu* review initiated by the authorities is concerned, the same may also be proceeded with continuously, as there is no bar for continuance of the criminal proceedings and the departmental disciplinary proceedings. The evidences available may be placed before the competent authority for the purpose of continuing the departmental disciplinary proceedings. In this view of the matter, no further relief needs to be considered in this writ petition, as the Department itself has initiated all appropriate actions in the manner known to law and the petitioner and the delinquent employee has to cooperate for the disposal of the proceedings both before the Criminal Court of Law and before the Department.

3.With these observations, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/TRUE COPY/

/ /2022

Sub Assistant Registrar(CS)

abr

To

1.The Secretary to Government,
The Home Department,
State of Tamilnadu, Secretariat,
Fort.St. Geroge, Chennai-600 009.



2.The Director General of Police (Law and Order),
O/o. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.

3.The Commissioner of Police,
Madurai City,
O/o. The Commissioner of Police, Madurai.

4.The Deputy Commissioner of Police,
Madurai City,
O/o. The Commissioner of Police, Madurai.

5.The Assistant Commissioner of Police,
O/o. The Assistant Commissioner of Police, Madurai.

+1 CC to M/s.F.DEEPAK, Advocate (SR-12032[F] dated 15/03/2022)

+1 CC to M/s.NIRANJAN S KUMAR, Advocate (SR-12082[F] dated
15/03/2022)

+1 CC to M/s.SPL GP (SR-12177[F] dated 15/03/2022)

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MK/28.03.2022/3P/9C