



Writ Petition No.16943 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

Writ Petition No.16943 of 2013

&

WMP No.22654 of 2023

1.P.Jaishankar

..Petitioner

vs.

1.The Additional Superintendent of Police,
Prohibition Enforcement Wing,
Villupuram District.

2.The Superintendent of Police,
Villupuram District.

3.The Deputy Inspector General of Police,
Villupuram Range,
Villupuram.

4.The Director General of Police,
Chennai-4

5.The Principal Secretary to Government,
Home (Pol.II) Department,
Fort St.George,
Chennai-9

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records of the respondents 2 to 4 in connection with the impugned order passed in PR No.46/2008 u/r.3(a) dated 05.11.2008, C.No.B3/Appeal36/2008 dated 02.01.2009 and RC.No.094705/API(2)/2009 dated 22.07.2009 respectively and quash the same.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.R.U.Dinesh Raj Kumar, AGP
for RR1 to 4

ORDER

This writ petition has been filed seeking for issuance of a Writ of Certiorari, to set aside the impugned order passed in PR No.46/2008 u/r.3(a) dated 05.11.2008, C.No.B3/Appeal36/2008 dated 02.01.2009 and RC.No.094705/API(2)/2009 dated 22.07.2009 respectively.

2.According to the learned counsel for the petitioner disciplinary proceedings have been initiated against the petitioner in violation of the principles of natural justice and found the petitioner guilty of the charge and imposed punishment of stoppage of increment for a period of one year without cumulative effect and hence, the petitioner has filed a mercy



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application and that was also not being considered.

WEB COPY 3. Mr.R.U.Dinesh Raj Kumar, learned Additional Government Pleader appearing for the respondents has submitted that one of the respondents has filed counter affidavit before this Court stating that the mercy application filed by the petitioner has already been considered by the respondents and the original punishment imposed i.e., postponement of one increment without cumulative effect has been modified as "censure" on 20.10.2020.

4.Since the mercy application has already been considered and the earlier proceedings which are in question have already been modified, no further orders are required to be passed in this petition since it has become infructuous.

5.Therefore, the Writ petition is dismissed, as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

10.11.2023

Index : Yes/No

Speaking order: Yes/No



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To

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WEB COPY



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Dr.D. NAGARJUN, J

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