



WEB COPY



W.P.No.3745 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.3745 of 2023
and W.M.P.Nos.3821, 3822 & 3824 of 2023

S. Rajendran

... Petitioner

Vs.

- 1.The Inspector General of Police,
West Zone, Race Course Road,
Coimbatore.
- 2.The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore.
- 3.The Superintendent of Police,
Erode District, Erode.
- 4.The Deputy Superintendent of Police,
Erode Town Subdivision,
Office of Superintendent of Police,
Erode District.
- 5.The Inspector of Police,
Karungalpalayam Police Station,
Karungalpalayam Erode District.
- 6.The Sub Inspector of Police,
Karungalpalayam Police Station,
Karungalpalayam Erode District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for records relating to the impugned order made in RC.No.J1/E-3347729/377/2022 dated 14.10.2022 and consequential order dated 29.11.2022 in C.No.J1/E-3347729/377/2022 passed by the 3rd respondent, quash the same and consequently direct the respondents to count the service of suspension period of the petitioner treated as regular service.

For Petitioner : Mr.K. Karthikeyan

For Respondents : Mrs.M. Jayanthi,
Additional Government Pleader

ORDER

The grievance of the petitioner is that the earlier order of this Court dated 09.11.2022 passed in WP.No.29740 of 2022, has not been complied.

2. In the said order, there was a direction to the respondents to consider the petitioner's representation dated 17.10.2022 on or before 01.12.2022.



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3. Today, when the matter was called, the learned Additional Government Pleader appearing for the respondents, filed a compliance report wherein, it is stated that the third respondent had considered a representation of the petitioner and had rejected the same on 29.11.2022. A copy of the rejection order has also been produced before this Court, which evidences that the petitioner had received a copy of the rejection order on 29.11.2022 itself. As a matter of fact, the petitioner has challenged this rejection order in the present Writ Petition.

4. When the respondents have placed the petitioner under suspension in public interest by invoking Rule 3(e)(1)(i) of the Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules, 1955, the respondents need not be directed for revoking the suspension. On the other hand, as per G.O.(Ms) No.81, Human Resources Management (N) Department, dated 04.08.2022, the respondents are required to frame charges within a time limit prescribed therein and complete the inquiry proceedings within the time limit prescribed therein.



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5. In this background, there shall be a direction to the respondents, to forthwith comply with the directions and guidelines of the Government in G.O.(Ms) No.81 dated 04.08.2022, by conducting a disciplinary proceedings. The Disciplinary Authority shall strictly abide by the time limit prescribed in the Government Order.

6. Accordingly, the Writ Petition stands closed with a direction. No costs. Connected miscellaneous petitions are closed.

28.02.2023

Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH, J.

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