



WEB COPY



W.P.No.3680 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.3680 of 2023
and WMP No.3838 of 2023

S.Selvanagarathinam

... Petitioner

Vs.

Disciplinary Authority
The Additional Chief Secretary to Government
Home (SC) Department
Secretariat
Chennai – 600 009.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to furnish all the documents referred to in Annexure II to the Letter No. HSC4/ 2123-3/ 2022 dated 31.12.2022 issued to the petitioner.

For Petitioner : Mr.V.Prakash
Senior Counsel
for Mr.M.Vasanth Kumar

For Respondent : Mrs.E.Indhumathi
Government Advocate



W.P.No.3680 of 2023

WEB COPY

ORDER

Upon hearing the learned Senior Counsel appearing on behalf of the petitioner, this Court found that the request made by the petitioner was already rejected by the Additional Chief Secretary to Government through letter dt.11.01.2023. That apart, the learned Senior Counsel in the course of arguments also brought to the notice of this Court certain materials and alleged that the officer, who conducted the preliminary enquiry was attempting to settle the dispute with the petitioner and hence, the petitioner apprehends that he will not get a fair enquiry in this case.

2.In the considered view of this Court, the petitioner has to necessarily challenge the impugned letter dated 11.01.2023. That apart, if there is any apprehension for the petitioner that the enquiry will not be conducted in a fair manner, necessary averments will have to be made and grounds must be raised in the writ petition.



W.P.No.3680 of 2023

WEB COPY

3. In view of the above, the learned counsel for the petitioner request this Court to withdraw the writ petition and to file a fresh writ petition by seeking for the necessary relief and also raising relevant grounds.

4. Accordingly, this writ petition is dismissed as withdrawn by giving liberty to file a fresh writ petition. No costs. Consequently, connected miscellaneous petition is closed.

10.02.2023

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Internet : Yes/No

Index : Yes/No

Speaking Order : Yes/No

Neutral Judgment : Yes/No

To

Disciplinary Authority
The Additional Chief Secretary to Government
Home (SC) Department
Secretariat
Chennai – 600 009.



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W.P.No.3680 of 2023

N.ANAND VENKATESH,J.

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W.P.No.3680 of 2023

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