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W.P.No.21879 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.21879 of 2013

D.Sekar

.. Petitioner

Versus

1. The Director of General of Police,
Dr.Radakrishnan Sali,
Mylapore, Chennai - 4.

2. The Commissioner of Police,
Chennai City Police, Egmore,
Chennai.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorari to call for the records in proceedings No. Na.Ka.No.Pa.B5(4)/63425/2013, Se.Ma.Ka.Aa.No.2008/2013, dated 23.07.2013 and the consequential proceedings in Na.Ka.No.Pa.B5(4)/63425/2013, Se.Ma.Ka.Aa.No.2034/2013, dated 27.07.2013 on the file of the 2nd respondent, in so far as it relates to the petitioner and quash the same as illegal, incompetent and unconstitutional.

For Petitioner : Mr.A.R.Nixon

For Respondents : Mr.T.K.Saravanan,
Government Advocate



W.P.No.21879 of 2013

WEB COPY

ORDER

This Writ Petition is filed challenging the proceedings in Na.Ka.No.Pa.B5(4)/63425/2013, Se.Ma.Ka.Aa.No.2008/2013, dated 23.07.2013 and the consequential proceedings in Na.Ka.No.Pa.B5(4)/63425/2013, Se.Ma.Ka.Aa.No.2034/2013, dated 27.07.2013 on the file of the second respondent insofar as it relates to the petitioner.

2. The learned Counsel for the respondent states that the Writ Petition itself is challenging the order of transfer. Subsequently, the petitioner is removed from service. The learned Counsel for the petitioner submits that that there are no instructions to him in that regard. In the event he is not removed from the service, he may be permitted to make such representation or to file such proceedings as may be necessary.

3. Since the Writ Petition is of the year 2013 and the same is filed challenging the order of transfer, by way of sheer efflux of time, the prayer in the Writ Petition has become infructuous. If the petitioner is aggrieved of anything relating to his removal from service and has got any other claim



W.P.No.21879 of 2013

WEB COPY

other than the transfer, it goes without saying that the petitioner has got a right to move the respondents by making a representation or to take such proceedings as may be advised.

4. This Writ Petition is disposed of accordingly. No costs.

27.11.2023
(2/2)

Index : yes
Speaking order
Neutral Citation : no
grs

To

1. The Director General of Police,
Dr.Radakrishnan Sali,
Mylapore, Chennai - 4.
2. The Commissioner of Police,
Chennai City Police, Egmore,
Chennai.



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W.P.No.21879 of 2013

D.BHARATHA CHAKRAVARTHY, J.

grs

W.P.No.21879 of 2013

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(2/2)