



WEB COPY



W.P.No.8183 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Writ Petition No.8183 of 2013

V.Elumalai

.... Petitioner

-Vs-

1.The Superintendent of Police
District Police Office
Villupuram.

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

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the order of the first respondent herein passed in his P.R.No.60/2012 U/r.3(b) dated 14.11.2012 and the consequential order passed in his D.O.1105/2012/C.No.D2/PR.60/12 dated 14.11.2012 imposing a punishment of reduction in rank by one stage for three years to be spent on the second respondent herein in his C.No.B3/Appeal.56/12 dated 18.1.2013 rejecting the petitioner Appeal Petition and quash the same and consequently direct the respondents herein to re-promote the petitioner as Head Constable with all consequential service and monetary benefits.

For Petitioner : Mr. Ravi Shanmugam

For Respondents : Mr.K.Tippu Sultan, Government Advocate
- for RR 1 and 2



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ORDER

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This writ petition challenges the order passed by the first respondent in P.R.No.60/2012 U/r.3(b) dated 14.11.2012 and the consequential order passed in his D.O.1105/2012/C.No.D2/PR.60/12 dated 14.11.2012 imposing a punishment of reduction in rank by one stage for three years.

2. In the light of the order proposed to be passed, I am not inclined to go into the merits of the case. The petitioner was found guilty by the Deputy Superintendent of Police, Crime Records Bureau, Villupuram. The second respondent / Superintendent of Police, Villupuram had imposed a punishment by a reasoned order. Against the said order, an appeal was preferred before the Deputy Inspector General of Police, Villupuram. The said authority had passed an order on 09.01.2013. The appeal had been disposed of on the following grounds.

" 3) I have carefully perused the appeal proposal and other connected records. The explanation of the delinquent is not satisfactory. The punishment imposed by the order passing authority is not excessive. Hence, the appeal petition is rejected."



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3. I do not find any reason granted by the appellate authority. The order, on that ground is set aside. It is remitted to the appellate authority to decide the issue afresh and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

19.06.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
KST
To

- 1.The Superintendent of Police
District Police Office
Villupuram.
- 2.The Deputy Inspector General of Police
Villupuram Range, Villupuram.



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V. LAKSHMINARAYANAN, J.

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