



WEB COPY



WP.No.22094 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.22094 of 2023

K.Nanda Kumar

.. Petitioner

Versus

1.The Commissioner of Police
No.132, EVK Sampath Salai
Vepery, Chennai – 600 007

2.The Assistant Commissioner (South Zone)
Greater Chennai City Home Guards
Saidapet, Chennai – 600 015

3.The Area Commander (South Zone)
Greater Chennai City Home Guards
Saidapet, Chennai – 600 015

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the record pertaining to Memo bearing Na.Ka.No.208/89007/Vu.Ka.Pa/2020 dated 11.09.2021 issued by the 1st respondent and to quash the same and direct the 2nd respondent to allot duty to the petitioner.

For Petitioner : Mr.M.Madhu Prakash
For Respondents : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

This writ petition has been filed challenging the Memo bearing

Na.Ka.No.208/89007/Vu.Ka.Pa/2020 dated 11.09.2021 issued by the 1st



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respondent, quash the same and consequently direct the 2nd respondent to allot duty to the petitioner.

2.It is the case of the writ petitioner was working as Home Guard in E3 Company, Teynampet and a show cause notice has been issued to the petitioner on 11.09.2021 and the petitioner has also given reply on 29.09.2021. However, despite the reply, no order has been passed. It is the grievance that he has not given any job and hence, the show cause notice has to be set aside.

3. Heard both sides and perused the materials placed on record.

4. Admittedly, the show cause notice dated 11.09.2021 is issued to the petitioner and despite the reply sent by the petitioner, no order has been passed and no enquiry has been conducted.

5. Such view of the matter, mere issuance of show cause notice, the respondents cannot keep the show cause notice pending and deprive the service of the petitioner. Hence, there shall be a direction to the respondent to take a decision on the basis of the reply and if any enquiry is contemplated, the same shall be completed within a period of two months from the date of



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receipt of a copy of this Order.

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6. Accordingly, this writ petition stands disposed of. No costs.

27.07.2023

dhk

Internet: Yes/No

Neutral Citation: Yes/No

To

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N.SATHISH KUMAR, J.

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