



WEB COPY



WP.No.6288/2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.07.2023

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.6288/2017 & WMP.No.6775/2017

P.Alagudurai

... Petitioner

Versus

1.The Secretary to Government
Public [Law & Order] Department
Fort St George, Chennai 600 009.

2.The Secretary to Government
Home [Police II] Department
Fort St George, Chennai 600009.

3.The Director General of Police
Dr.Radhakrishnan Salai
Mylapore, Chennai 600 004.

4.The Deputy Inspector General of Police
Railways, Chennai.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for the records of the 4th respondent in connection with the impugned order passed by him in PR.No.24/2009 dated 09.11.2009 and quash the same.



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For Petitioner : Mr.M.Vignesh Raj for
Mr.M.Muthappan
For Respondent : Mr.S.Ravikumar, Spl.GP

ORDER

- (1) The writ petition has been filed in the nature of certiorari seeking interference with the impugned order which is actually a charge memo issued to the petitioner in PR.No.24/2009 dated 09.11.2009.
- (2) The petitioner was a directly recruited Sub Inspector of Police and had been appointed to service on 28.09.1997. While he was serving as Inspector of Police in Chidambaram Police Station, he was also placed in-charge of Trichy Railway Police Circle as well as Thanjavur Police Circle from 20.01.2007. On 22.01.2007, an accused Saivam who was concerned in Trichy Railway Police Crime No.67/2009 registered under Section 41[2] of Cr.P.C., escaped from the escorting police personnel and jumped from the train and sustained head injuries and died on the spot. In this connection, an enquiry was conducted by the Revenue Divisional Officer, Trichy. A charge memo was then issued to the petitioner herein. Questioning that particular charge memo, the



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writ petition has been filed.

(3) Learned Special Government Pleader had forwarded the proceedings of the Deputy Inspector General of Police, Villupuram Range dated 22.12.2018 in RO.No.461/2018, C.No.B2/17907/2018. It had been stated in the said communication that the Enquiry Officer held the charges "Not Proved" and a Government Order in G.O.2D.No.103, Home [Police 2] Department dated 02.05.2017 had been issued in that regard. Relevant portion of the said Government Order is as follows:-

"3.The Government have carefully and independently examined the charge, defence statement of the delinquent officer and the findings of the Inquiry Officer, along with the connected records and decided to drop further action on the charge framed under rule 3[b] of the Tamil Nadu Police Subordinate Services [Discipline and Appeal] Rules, 1955, in PR.No.24/2009 against Thiru.P.Alagudurai, Inspector of Police, Thoothukudi District, formerly Inspector of Police, Railways, Tiruchirappalli District. Accordingly, the Government drop further action on the charge framed under rule 3[b] of the Tamil Nadu



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Police Subordinate Services [Discipline and Appeal] Rules, 1955, in PR.No.24/2009 against Thiru.P.Alagudurai, Inspector of Police, Thoothukudi District, formerly Inspector of Police, Railways, Tiruchirappalli District."

- (4) In view of the stand taken by the respondents, dropping the charges, no further issue arises for adjudication in this writ petition.
- (5) The writ petition stands **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

21.07.2023

AP

Internet : Yes

To

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