



WEB COPY

W.P.No.400 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

**W.P.No.400 of 2023 &
W.M.P.No.363 of 2023**

V.Vijayakumar

... Petitioner

VS.

- 1 The Additional Chief Secretary,
Home (Police .1A) Department,
Fort St.George, Chennai 09.
- 2 The Director General of Police,
O/o. The Director General of Police,
Kamarajar Salai, Mylapore, Chennai 04.
- 3 The Inspector General of Police,
Training,
Police Training College,
Chennai 83.
- 4 The Principal / Superintendent of Police,
Police Training School,
Chennai 83.
- 5 The Superintendent of Police,
Thanjavur District, Thanjavur.

...Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Certiorari to call for the records pertaining to the impugned order dated 5.05.2021 passed by the 1st respondent in G.O. (2D) No. 117 Home (Police .1A) Department and quash the same as illegal.

For Petitioner : Mr.A.Rajaram

For Respondents : Mr.D.Ravichander,
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned order dated 05.05.2021 passed by the first respondent.

2. Mr.D.Ravichander, learned Special Government Pleader accepts notice on behalf of the respondents. By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.

3. The petitioner is aggrieved by a prolonged suspension. He received suspension order on 05.05.2021 in respect of a Sexual Harassment complaint. The petitioner was an Additional Superintendent of Police at the



time of his suspension. The petitioner has given a representation to the Inspector General of Police on 12.09.2022 seeking for revocation of the impugned suspension order. Since the representation has not been considered till date, he has filed this writ petition.

4. Heard Mr.A.Rajaram, learned counsel for the petitioner and Mr.D.Ravichander, learned Special Government Pleader appearing for the respondents.

5. Considering the serious allegations levelled against the petitioner, this Court at this stage cannot interfere with the impugned suspension order, even though the petitioner may contend that it is a prolonged suspension.

6. However, no prejudice would be caused to the respondents, if the petitioner is allowed to give a fresh representation to the first respondent seeking for revocation of the impugned suspension order and if a direction was issued to the first respondent to consider the same within a time frame to be fixed by this Court.



7. For the foregoing reasons, this Court without expressing any opinion on the merits of the case, directs the petitioner to submit a fresh representation to the first respondent seeking for revocation of the impugned suspension order dated 05.05.2021 issued by the first respondent within a period of one week from the date of receipt of a copy of this Order. On receipt of the said representation, the first respondent shall pass final orders on merits and in accordance with law on the said representation within a period of four weeks thereafter.

8. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

06.01.2023

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Index:Yes/No

Internet:Yes/No

Speaking/Non-speaking orders

Neutral citation: Yes/No



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ABDUL QUDDHOSE, J.
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