



W.P(MD)No.5496 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5496 of 2023

T.S.Mohandhas

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi District,
Tenkasi.

2.The Inspector of Police,
Vigilance and Anti-Corruption,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the first respondent to revoke the order of suspension of the petitioner dated 30.04.2021 and thereby reinstate the petitioner in service by considering the representation of the petitioner dated 30.01.2023.

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.T.Villavankothai
Additional Government Pleader



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ORDER

Heard the learned counsel on either side.

2. The petitioner is holding the rank of head constable. He was implicated in Crime No.7 of 2020 registered under Section 7 of Prevention of Corruption Act, 1988 on the file of the second respondent. The petitioner was also suspended from service on 30.04.2021.

3. I wanted to know the outcome of the criminal prosecution. It is stated by the learned Additional Government Pleader that final report has since been filed dropping criminal prosecution but recommending departmental action. Pursuant to the said final report, charge sheet has been served on the petitioner on 21.02.2023. The petitioner is under suspension for almost two years. This is certainly a case of prolonged suspension.

4. The petitioner's counsel states that the petitioner will offer his explanation at the earliest.

5. Disciplinary action shall be concluded on merits and in accordance with law within a period of three months from the date of receipt of a copy of



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this order. I make it clear that I have not gone into the merits of the matter. The only relief I am giving is that disciplinary action should be expedited and concluded within the aforesaid time limit. Revocation or otherwise of the suspension order will abide by the outcome of the disciplinary proceedings.

6. The Writ Petition is disposed of accordingly. No costs.

14.03.2023

Index : Yes / No
Internet : Yes/ No
rmi

NOTE:Issue Order Copy on 17.03.2023

To

- 1.The Superintendent of Police,
Tenkasi District,
Tenkasi.
- 2.The Inspector of Police,
Vigilance and Anti-Corruption,
Kanyakumari District.



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G.R.SWAMINATHAN, J.

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