



W.P.(MD)No.4784 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.4784 of 2018

and

W.M.P.(MD).No.4794 and 4795 of 2018

K.Subramanian

... Petitioner

Vs.

1.The Additional Director General of Police
(Law and Order),
Mylapore,
Chennai 600 004.

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

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records relating to the impugned order passed by the second respondent in No.C1/2362/2013 dated 30.05.2013 and consequential rejection order passed by the first respondent in R.C.No.226406/AP2(1)/2013 dated



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02.06.2017 and quash the same and consequently direct the respondents to upgrade the petitioner as Special Sub-Inspector of Police with effect from 01.02.2013 with due seniority and other consequential monetary and service benefits.

For Petitioner : Mr.K.Vamanan
For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned order passed by the second respondent dated 30.05.2013 and the consequential rejection order passed by the first respondent dated 02.06.2017 and to quash the same and consequently direct the respondents to upgrade the petitioner as Special Sub-Inspector of Police with effect from 01.02.2013 with due seniority and other consequential monetary and service benefits.

2. The learned counsel appearing for the petitioner would submit that though the petitioner has filed this writ petition challenging the concurrent finding rendered by the disciplinary authority as well as the



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appellate authority, however, as against the order passed by the disciplinary authority as well as the appellate authority, there is a revisional remedy before the Director General of Police. Hence, this Court may grant liberty to the petitioner to approach the revisional authority within a reasonable time as fixed by this Court.

3. The learned Additional Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

4. There was a serious miscarriage of justice in the order passed by the disciplinary authority as well as the appellate authority. Hence, this Court grants liberty to the petitioner to file a revision before the Director General of Police under Order 105 of the Police Standing Order, within a period of four weeks from the date of receipt of a copy of this order and if such revision is filed, the Director General of Police is directed to pass appropriate orders.



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5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

14.02.2023

NCC: Yes/No
Index : Yes / No
Speaking Order : Yes / No

akv

To

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(Law and Order),
Mylapore,
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2.The Deputy Inspector General of Police,
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Tirunelveli.



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M.DHANDAPANI,J.

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