



W.P(MD)No.18419 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.10.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.18419 of 2023

and

W.M.P(MD)No.15292 of 2023

E.Esakki Raja

... Petitioner

Vs.

The Superintendent of Police,
Dindigul District,
Dindigul.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to calling for the records relating to the impugned order, dated 10.07.2023 in த.ப.எண்.எப் 2/த.ப.36/2023-விதி3(அ) and consequential implementation order in D. No.804/2023, dated 11.07.2023 by the respondent, quash the same as illegal.

For Petitioner : Mr.M.Prabu

For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader



W.P(MD)No.18419 of 2023

ORDER

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The present writ petition has been filed by Sub Inspector of Police challenging an order of censure passed against him on 11.07.2023.

2. It could be seen from the records that the delinquency has happened in the year 2020 and the order of censure has been passed on 10.07.2023. In view of Clause 14 of Schedule 11 of Tamil Nadu Government Servants Conditions of Service Act 2016, the punishment of 'Censure' imposed on a member of service within a period of one year preceeding the crucial date shall not be held against a member of service, if the delinquency in respect of which such punishment is imposed had occurred prior to five years preceeding the crucial date.

3. In a case where the name of the petitioner comes up for consideration for any promotion after a period of 5 years from the date of delinquency, namely 07.06.2020, there is no impediment for the authorities to consider his name. According to the learned Additional Government Pleader appearing for the respondent, the petitioner has filed a statutory appeal before the Deputy Inspector General of police, Dindigul Range and same has also been dismissed on 20.09.2023. In view of the above said facts, no grounds have been made out for interfering in the order of censure.



W.P(MD)No.18419 of 2023

WEB COPY

4. With the said observations, this Writ Petition stands disposed of.

No costs. Consequently, connected Miscellaneous Petition is closed.

13.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

The Superintendent of Police,
Dindigul District,
Dindigul.



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R.VIJAYAKUMAR,J.

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Order made in
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