



W.P.(MD)No.16962 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 16962 of 2015

and

M.P(MD)No.1 of 2015

K.Jeyabalan

... Petitioner

Vs.

1.The Superintendent of Police
Ramanathapuram District,
Ramanathapuram.

2.The Deputy Inspector General of Police,
Ramanathapuram Range
Ramanathapuram,
Ramanathapuram District.

... Respondents

(Cause Title amended as per order of this Court
dated 16.12.2015 in M.P(MD)No.2 of 2015)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus forbearing the Respondents from proceeding with the disciplinary proceedings in Na.Ka.No.B1/6416/2014 dated 06.08.2015 issued



W.P.(MD)No.16962 of 2015

WEB COPY

by the second Respondent which was communicated by the first Respondent in C.No.F1/19470/2014 dated 19.08.2015 against the Petitioner till the conclusion of the criminal prosecution, pending investigation in Crime No.308 of 2014 on the file of the Inspector of Police, Kenikarai Police Station against the Petitioner on account of the similar charges and allegations made in both the proceedings.

For Petitioner : Mr.M.Kannan

For Respondent : Mr.M.Lingadurai,
Special Government Pleader

ORDER

This writ petition is filed challenging the Charge memo, dated 06.08.2015.

2. Heard Mr.M.Kannan, the Learned Counsel appearing for the petitioner and Mr.M.Lingadurai, the Learned Special Government Pleader appearing for the respondents and perused the material documents placed on record.

3. This writ petition has been filed challenging the charge memo, dated 06.08.2015. Since charge memo cannot be challenged, the writ petition cannot be entertained.



W.P.(MD)No.16962 of 2015

WEB COPY

4. The learned counsel appearing for the petitioner submitted that the criminal case has been filed against the petitioner. The petitioner has obtained direction in CrI.O.P.(MD)No.3712 of 2021 for speedy disposal of the criminal proceedings in C.C.No.163 of 2020. By order, dated 10.03.2021, this Court directed the Court below to dispose the C.C.No.163 of 2020, as expeditiously as possible. Based on this order the Criminal Court has proceeded and the criminal case is on the verge of completion. Hence the petitioner prayed to keep the charge memo in abeyance. However, the respondents vehemently opposed in keeping the charge memo in abeyance. This Court is of the considered opinion that the criminal proceedings is on the verge of completion and no harm will be caused in keeping the charge memo in abeyance, till the disposal of the criminal proceedings. Therefore, this Court is directing the respondents to keep the charge memo in abeyance and proceed with the charge memo after completion of Criminal case.



W.P.(MD)No.16962 of 2015

WEB COPY

5. With the above directions, this Writ Petition is disposed of.

Index : Yes / No
Internet : Yes
ksa

26.06.2023



WEB COPY



W.P.(MD)No.16962 of 2015

To

- 1.The Superintendent of Police
Ramanathapuram District,
Ramanathapuram.
- 2.The Deputy Inspector General of Police,
Ramanathapuram Range
Ramanathapuram,
Ramanathapuram District.



WEB COPY



W.P.(MD)No.16962 of 2015

S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No. 16962 of 2015**

26.06.2023