



WEB COPY

W.P.(MD)No.7405 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.7405 of 2016

and

W.M.P.(MD)Nos.6234 and 6235 of 2016

R.Karikarcholan

... Petitioner

vs.

- 1.The Principal Secretary to Government,
Home Department,
Fort St.George, Chennai-600 009.
- 2.The Additional Director General of Police,
Chennai.
- 3.The Deputy Inspector General of Police,
Thanjavur Range,
Thanjavur District.
- 4.The Assistant Superintendent of Police,
Vallam, Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to the order of the 2nd



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respondent, dated 27.07.2013, in Rc.No.065398/API(1)/2013, confirming the order of the 3rd respondent, dated 31.03.2013, in Na.Ka.No.B1/1237/13 and to quash the same as arbitrary and illegal.

For Petitioner : Mr.K.Baalasundharam
Senior Counsel
for Mr.R.Paranjothi

For Respondents : Mr.N.Muthu Vijayan
Special Government Pleader

ORDER

This writ petition is filed for issuance of a writ of Certiorari, to quash the impugned order of the 2nd respondent, dated 27.07.2013, which has confirmed the order of the 3rd respondent, dated 31.03.2013 as arbitrary and illegal.

2. The charge against the petitioner is that he would go for any duty without informing the higher authorities, whenever the petitioner has registered the case, he has failed to investigate the case and he was having relationship with local rowdy, namely Panchabikesan and he has relationship with one Swaminathan



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who writes anonymous letters. Once he has threatened the Doctor for issuing the certificate that the petitioner was not in drunken mode. For all these charges, the respondents have initiated action, an enquiry was conducted and imposed a punishment of stoppage of increment for one year without cumulative effect. Even though the charges are not serious, the last charge that the petitioner has threatened the Doctor to issue a certificate that the petitioner is not in drunken mode, is serious.

3. The respondents submitted that since the petitioner is in uniformed service, it is a serious charge and the said Doctor has deposed before the enquiry officer also and the enquiry officer has confirmed the same. Moreover, the punishment imposed against the petitioner is only a minor punishment.

4. This Court is of the considered opinion that the punishment is minor and hence this Court is not inclined to entertain this writ petition. Hence, the writ



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petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes

15.02.2023

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To

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S.SRIMATHY, J

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