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W.P. No. 8856 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2024

CORAM

THE HON'BLE MR. JUSTICE D. BHARATHA CHAKRAVARTHY

W.P. No. 8856 of 2024

P. Nagarajan

..Petitioner

Vs.

1. The Deputy Inspector General of Police,
Villupuram Range, Villupuram.

2. The Superintendent of Police,
Cuddalore District.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying
for issue of Writ of Mandamus to consider the petitioner's representation
dated 28.11.2022.

For Petitioner :: Mr.P. Raja

For Respondents :: Mr.P. Ganesan
Govt. Advocate

O R D E R

This writ petition is filed with a prayer to consider the representation



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of the petitioner dated 28.11.2022.

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2. On a perusal of the representation of the petitioner dated 28.11.2022, it is seen that an allegation was made against the petitioner that he did not properly record a statement in a criminal case and also acted in a manner unbecoming of a Government Servant. Moreover, the petitioner was included as second accused in the criminal case itself. However, subsequently, he was acquitted in the criminal case and now, only the departmental proceedings are pending.

3. Though the petitioner claims exoneration by the said representation, the only relief that can be granted by this Court is a direction to the respondents to complete the enquiry in an expeditious manner. It is for the petitioner to plead all the grounds and that he has been acquitted in the criminal case on merits (if it is so) and also to bring to the notice of the Disciplinary Authority any finding that has been rendered regarding his innocence by the Criminal Court.



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4. However, it is trite that the degree of proof required in criminal proceedings and departmental proceedings are not the same and the charge against the petitioner in the departmental proceedings is slightly different from the charge which the petitioner faced in the criminal proceedings.

D. BHARATHA CHAKRAVARTHY,J.

nv

5. In that view of the matter, the writ petition is disposed of directing the respondents to complete the enquiry and finalise the disciplinary proceedings arising out of charge memo dated 24.04.2009 within a period of 12 weeks from the date of receipt of a copy of this order.

No costs.

02.04.2024

nv

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To

1. The Deputy Inspector General of Police,

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2. The Superintendent of Police,
Cuddalore District.