



W.P.No.9672 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.9672 of 2024

C.Parameshwari

Special Sub-Inspector of Police (Under Suspension)

All Women Police Station

Thiruvannamalai

... Petitioner

Vs.

1.The Director General of Police

Dr.Radhakrishnan Salai Road,

Mylapore,

Chennai-600 004.

2.The Deputy Inspector General of Police

Vellore Range,

Thoraipadi

Vellore.

3.The Superintendent of Police,

Thiruvannamalai District.

4.The Deputy Superintendent of Police,

Vigilance and Anti Corruption

Thiruvannamalai

5.The Inspector of Police

All women police station

Thiruvannamalai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, to call for the



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records pertaining to order passed by the 3rd respondent vide his proceedings in D.O. No. 437/2023 C.No. H1 / 10905 / 2023 dated 14.05.2023 and quash the order of suspension unjust and consequently direct the 3rd respondent to reinstate the petitioner in the post of the Special Sub Inspector of police based on the petitioner representation 01.03.2024 and 18. 03.2024.

For Petitioner : Mr.M.Guruprasad
For Respondents : Mr.P.Ganesan
Government Advocate

ORDER

The petitioner was involved in a criminal case and in view of the petitioner getting caught red-handed and being arrested in Crime No.6 of 2023 for the offences punishable under Section 7 of Prevention of Corruption Act, the petitioner was suspended by order dated 14.05.2023. The learned counsel for the petitioner submits that the petitioner being the sole bread winner of the family, is languishing in suspension and is unable to support her family. The learned counsel submitted that no charge sheet has been filed as on date.

2. The learned Government Advocate appearing on behalf of the respondents would submit the petitioner was suspended only on 14.05.2023 and the charge sheet is about to be filed.



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3. I have considered the rival submissions made on either side and perused the materials available on records.

4. The judgment of the Full Bench of this Court as since clarified the law relating to the applicability of the judgment of the Hon'ble Supreme Court in the case of *Ajay Kumar Choudhary Vs Union of India, reported in 2015(7) SCC 291*, therefore, merely on the ground of non filing of the charge sheet in the criminal case, the order of suspension cannot be interfered. The petitioner was suspended on 14.05.2023 and is continuing as such. I do not see any ground for this Court to interfere with the order of suspension and I do not find any merits in this Writ Petition. Accordingly, this Writ Petition is dismissed.

5. It is needless to mention that the respondents co-ordinate with the appropriate Investigating Officer and ensure prompt filing of the charge sheet and conduct the criminal case expeditiously. No costs.

08.04.2024

Index: Yes
Speaking Order: Yes
Neutral Citation: No
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Vellore.
- 3.The Superintendent of Police,
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D.BHARATHA CHAKRAVARTHY, J.

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