



W.P.No.10293 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.10293 of 2024

Pavunraj

.. Petitioner

Versus

1. The Director General of Police,
Mylapore,
Chennai - 600 004.
2. The Commissioner of Police,
Greater Chennai Police,
No.132, E.V.K.Sampath Road,
Vepery,
Chennai - 600 007.
3. The Joint Commissioner of Police,
Headquarters,
Greater Chennai Police,
O/o. The Commissioner of Police,
Vepery, Chennai - 07.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, calling for the records related to the impugned suspension order issued by the 3rd respondent in Rc.No.28784/PR IV (2)/2022, dated 22.04.2022 and quash the same and



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consequently, direct the 2nd respondent to reinstate the petitioner into service.

For Petitioner : Mr.P.Arumugavel

For Respondents : Mr.Stalin Abhimanyu,
Additional Government Pleader

ORDER

This Writ Petition is filed seeking to quash the impugned suspension order, dated 22.04.2022 passed by the third respondent and consequently, to direct the second respondent to reinstate the petitioner.

2. The petitioner was suspended with effect from 22.04.2022. It seems that the petitioner and similarly placed persons with identical charges and who are co-accused in a criminal case in Spl.C.C.No.175 of 2023 were all suspended. The suspension order is issued in the year 2022 and no Departmental Proceedings were initiated and they are facing trial in the criminal case. On an earlier occasion, a Co-ordinate Bench of this Court, had considered the case of the other co-accused in W.P.No.6791 of 2023 etc., and by the order, dated 26.02.2024, exercised its discretion in favour of the petitioners therein and quashed the order of suspension.



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3. When the matter came up for hearing today, *Mr.Stalin Abhimanyu*, learned Additional Government Pleader takes notice on behalf of the respondents. Upon a query of this Court, the learned Additional Government Pleader could not distinguish the case of the petitioner to that of the others and he has also got oral instructions from the second respondent that the earlier order can be passed in respect of the petitioner also. It is also represented by him that the said order of the Co-ordinate Bench, dated 26.02.2024 had already been implemented.

4. In view thereof, this Writ Petition is also allowed in the terms of the earlier order, dated 26.02.2024 in W.P.No.6791 of 2023 etc. The impugned order of suspension, dated 22.04.2022 passed by the third respondent is quashed and consequently, the second respondent is directed to reinstate the petitioner into service and the petitioner may be posted in any non-sensitive post. The said exercise shall be carried out within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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Index : yes

Speaking order

Neutral Citation : no
grs



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D.BHARATHA CHAKRAVARTHY, J.

grs

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