



W.P.No.14916 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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R.Sasikumar

.. Petitioner

Versus

1. The Additional Chief Secretary to Government,
Home Department, Fort St. George,
Chennai - 600 009.
2. The Additional Director General of Police,
Law & Order,
Chennai - 600 004.
3. Deputy Inspector General of Police,
Vellore Range, Vellore.
4. The Vigilance Commission,
Secretariat,
Fort St. George, Chennai - 600 009.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus directing the respondents herein to conclude the disciplinary proceedings initiated against the petitioner in P.R.No.13 of 2019 u/r.3(b) of TNPSS (D&A) Rules 1955 dated 07.03.2019 within a time frame as deem fit and proper by this Court.

For Petitioner : M/s.G.Bala and Daisy

For Respondents : Mr.V.P.R.Elamparithi,
Additional Government Pleader



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ORDER

This Writ Petition is filed seeking for a direction to the respondents to conclude the Disciplinary Proceedings initiated against the petitioner in P.R.No.13 of 2019, dated 07.03.2019 within a time frame fixed by this Court.

2. The petitioner, who was working as an Inspector of Police, was placed under suspension with effect from 23.06.2008 for his involvement in a criminal case in Crime No.08 of 2008 under Section 7 read with Section 13(2) read with Section 13(1)(d) of the *Prevention of Corruption Act, 1988*. Ultimately, he was acquitted by the Special Judge on 19.07.2016 and thereafter, the suspension was revoked and he reported for duty on 01.06.2017. Thereafter, a charge memorandum in respect of the self-same charge was issued in P.R.No.13 of 2019. After conducting an enquiry, the Enquiry Officer submitted a report holding that the charges as not proved. However, by way of a suo-motu review, dated 09.04.2021, the order issued by the Disciplinary Authority agreeing with the findings of the Enquiry Officer and dropping the proceedings, was set aside on the ground that



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before dropping the proceedings, the Disciplinary Authority ought to have got the concurrence of the Vigilance and Anti-Corruption Department and the matter is kept at that stage till date. According to the learned Counsel for the petitioner, the respondents have not proceeded with the matter in any further manner. Till date, neither the opinion of the Vigilance and Anti-Corruption Department is obtained nor the proceedings were closed. The petitioner is put to grave prejudice on account of the same.

3. When the matter is taken up for admission, learned Additional Government Pleader for the respondents, placing the proceedings in Rc.No.Con.V(2)/051532/2018, dated 14.02.2024, submits that pointing out all the above and also the orders of this Court in the Writ Petitions filed by the petitioner earlier with reference to considering the period of suspension, once again the concurrence of the Vigilance and Anti-Corruption is sought for and the Disciplinary Proceedings will be finalised depending on the concurrence that may be given by the Vigilance Commission. He also submits that they will conclude the proceedings within any such specific time as may be directed by this Court.



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4. In view thereof, this Writ Petition is disposed of on the following terms :-

(i) The respondents are directed to take steps and obtain the concurrence / opinion of the Vigilance Commission with reference to the closing of the Disciplinary Proceedings against the petitioner in P.R.No.13 of 2019 within a period of eight weeks from the date of receipt of a copy of this order;

(ii) Depending on the outcome of such concurrence or otherwise, the respondents shall then proceed and pass final orders in the Disciplinary Proceedings within eight weeks thereafter;

(iii) There shall be no order as to costs.

10.06.2024

Neutral Citation : no
grs

To

1. The Additional Chief Secretary to Government,
Home Department, Fort St. George,
Chennai - 600 009.
2. The Additional Director General of Police,
Law & Order,
Chennai - 600 004.



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3. The Deputy Inspector General of Police,
Vellore Range, Vellore.

4. The Vigilance Commission,
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D.BHARATHA CHAKRAVARTHY, J.

grs

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