



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 14.08.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH**

**W.P.No.15014 of 2024**  
**and W.M.P.No.16316 of 2024**

S.Ranganathan

... Petitioner

Vs.

- 1.The Home Secretary of State  
Police Department,  
Chief Secretariat, Fort St. George,  
Chennai.
- 2.The Director General of Police,  
Law and Order, Chennai – 600 004.
- 3.The Deputy Inspector General of Police,  
Villupuram Range, Villupuram.
- 4.The Superintendent of Police,  
Cuddalore District.
- 5.The Additional Superintendent of Police/  
Enquiry Officer PEW (Prohibition Enforcement Wing)  
Cuddalore Head Quarters, Cuddalore,
- 6.The Deputy Superintendent of Police,  
Thittakudi Sub Division, Cuddalore District.



7. The Inspector of Police,  
Ramanatham Police Station,  
Cuddalore.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, call for the records pertaining to the impugned order dated 24.01.2024 made in Na.Ka. No.Ths.Ko.6/2017 by the Superintendent of Police, Cuddalore District and quash the same as illegal, against the principles of natural justice, nonest and without jurisdiction and direct the respondents to treat the petitioner in service till 31.03.2022 and pay all the consequential monetary benefits along with interest by considering the petitioner's representation dated 25.04.2022.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.Bindran  
Additional Government Pleader

### **ORDER**

Upon hearing the learned counsel for the petitioner and the learned Additional Government Pleader appearing on behalf of the respondents, it is seen that the Director General of Police through proceedings dated 26.05.2019 has confirmed the punishment imposed against the petitioner mainly on the ground that the criminal case is pending against the petitioner and no final orders were passed



in the quash petition filed by the petitioner. In view of the same, the punishment of compulsory retirement imposed against the petitioner was upheld. On going through the typed set of papers, it is seen that the criminal proceedings came to be ultimately quashed by this Court in Crl.O.P.No.24018 of 2016 by an order dated 01.03.2022. The disciplinary proceedings itself was initiated based on this criminal proceedings. This Court found that the criminal proceedings is a clear abuse of process of law. Therefore, the final result in the criminal proceedings will obviously have a bearing on the disciplinary proceedings initiated against the petitioner and the punishment that was imposed against the petitioner

2.The subject matter of challenge in the present writ petition is against the order of the Superintendent of Police, Cuddalore dated 24.01.2024. Obviously, the Superintendent of Police cannot grant the relief sought for by the petitioner, since the appeal has been rejected by the Director General of Police. Therefore, no useful purpose will be served in prosecuting this writ petition.

3.Liberty is granted to the petitioner to challenge the proceedings of the Director General of Police dated 26.05.2019 and workout his remedy. If ultimately,



this Court is inclined to interfere with the punishment imposed against the petitioner based on the order passed in the quash petition, the petitioner will be entitled for all the other consequential benefits. Except giving this clarity, no further orders can be passed in this writ petition

4. This writ petition is disposed of in the above terms. No Costs. Consequently, connected miscellaneous petition is closed.

**14.08.2024**

Internet : Yes  
Index : Yes  
Speaking Order / Non Speaking Order  
ssr

To

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**N. ANAND VENKATESH, J.**

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