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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2024

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THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.No.21648 of 2021

N.Ranjith Kumar ... Petitioner

Vs.

1. The Commissioner of Police,
   Chennai City, Vepary,
   Chennai – 07

2. Additional Director General of Police/
   Director of Civil Defence &
   Additional Commandant General,
   Home Guard,
   Chennai – 4

3. The Area Commander,
   East Zone, Home Guards Head Quarters,
   Saidapet, Chennai – 15

4. The Area Commander,
   Home Guards, Kotturpuram,
   Chennai – 8 ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd

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respondent and quash the order in R.C.No.A1/0649/DCD & HG/2021 dated 05.04.2021 and directing respondents reinstate the petitioner and provide compensation for the mental agony caused to the petitioner by the respondents, and promote the petitioner for designated posting (Assistant Platoon Commander).

For Petitioner : Mr.M.Sathya Kumar

For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

O R D E R

This Writ Petition has been filed for quashment of the impugned order dated 05.04.2021 passed by the second respondent in R.C.No.A1/0649/DCD & HG/2021 and consequently, to direct the respondents to reinstate the petitioner and provide compensation for the mental agony caused to the petitioner by the respondents and promote him to the designated posting as Assistant Platoon Commander.

2. Heard the learned counsel on either side and also perused the materials available on record.

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3. The case of the petitioner is that, while the petitioner was working as a Home Guard in Chennai, he was dismissed from service by an order dated 05.03.2021. The charge was framed under Rule 12 of the Tamil Nadu Home Guard Rules, 1963 alleging that the petitioner misrepresented himself as a CBI Officer and Police Officer and gave an interview to New 18 Channel without informing the authorities. He also published the interview on WhatsApp, thereby violating the Conduct Rules of the Home Guard. Against the order of dismissal from service, the petitioner filed an appeal before the second respondent, however, the same was rejected by an impugned order dated 05.04.2021. Hence, this Writ Petition.

4. The learned counsel appearing for the petitioner submitted that during the proceedings of the enquiry committee, the petitioner was not given a reasonable opportunity to present his views and the video sent to News 18 channel was done without the petitioner's knowledge and it was removed within two hours of its telecast. Hence, he prayed for the petitioner's reinstatement in service.

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5. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner gave an interview to News 18 TV channel making baseless and motivated allegations against the higher officers of the Home Guard. The petitioner also released photos on WhatsApp posing as a CBI Officer and Police Constable by creating a fake ID card as "Ranjith CBI Officer" and also released photo as if speaking on a walkie-talkie. The petitioner's activities allegedly tarnished the image of the Home Guard Force, therefore, he was dismissed from service. Hence, he prayed to dismiss the writ petition.

6. In view of the submissions made by the learned counsel on either side, this Court finds no infirmity in the impugned order dated 05.04.2021 passed by the second respondent, the writ petition lacks merit and is liable to be dismissed. Accordingly, this Writ Petition is dismissed. No costs.

05.12.2024

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No

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VIVEK KUMAR SINGH, J.

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