



WEB COPY



W.P.No.22257 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.22257 of 2024

E.Sivaraj

... Petitioner

Vs

The Deputy Inspector General of Police,
Kancheepuram Range,
Kancheepuram.

... Respondent

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in connection with the impugned order issued by the respondent in C.No.B2/1095508/2021 R.O. 60/2021 dated 26.03.2021 and C.No.B2/1095508/2021 dated 20.02.2024 direct the respondent to reinstate into service.

For Petitioner : Ms. R.Rajendran
For Respondent : Mr. V.P.R.Elamparithi,
Additional Government Pleader

O R D E R

With consent of both sides, this Writ Petition has been taken up for disposal at the admission stage itself.



W.P.No.22257 of 2024

WEB COPY

2. This Writ Petition is filed challenging the order dated 26.03.2021, thereby suspended the petitioner from service, and the order dated 20.02.2024, thereby rejected the petitioner's request seeking revocation of the suspension order.

3. The petitioner was appointed as Sub-Inspector of Police. While so, on 26.03.2021, a case was registered against the petitioner, and an First Information Report was filed in Crime No. 04/AC/2021/TVL with the Inspector of Police, Vigilance and Anti-Corruption, for offences under Section 7 of the Prevention of Corruption Act, 1988, alleging that the petitioner demanded and received a bribe of Rs.20,000/- to avoid calling him for another enquiry. The investigation was completed, and a final report was filed on 13.05.2022, pending trial. However, the petitioner has not yet been served with a charge memo in the disciplinary proceedings. Therefore, the petitioner submitted a representation to revoke the suspension order, which was rejected by order dated 20.02.2024.



W.P.No.22257 of 2024

WEB COPY

4. On a perusal of the records, it is revealed that the petitioner is currently receiving 75% of salary as subsistence allowance without performing any work. As per G.O. (Ms) No. 81, Human Resources Department dated 04.08.2022, an order of suspension should not be allowed to continue for more than three months without valid reasons.

5. In view of the above Government Order in G.O. (Ms) No. 81, Human Resources Department dated 04.08.2022, the respondent is directed to revisit the suspension order dated 26.03.2021 and post the petitioner to any non-sensitive place, within a period of six weeks from the date of receipt of a copy of this order.

6. In the result, this Writ Petition is disposed of. No costs.

02.08.2024

Index: Yes/No
Neutral Citation: Yes/No
kv



W.P.No.22257 of 2024

To
WEB COPY

The Deputy Inspector General of Police,
Kancheepuram Range,
Kancheepuram.



WEB COPY



W.P.No.22257 of 2024

G.K.ILANTHIRAIYAN, J.

kv

W.P.No.22257 of 2024

02.08.2024