



WEB COPY



W.P.No.32134 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.32134 of 2024

K.Solomon

.. Petitioner

Vs.

1.The Superintendent of Prison,
Central Prisons,
Puzhal, Chennai – 600 066.

2.The Deputy Inspector General of Police,
Chennai Range,
Puzhal Prison Complex,
Chennai – 600 066.

.. Respondents

(R2 *suo motu* added as 2nd respondent in
this Writ Petition as per order of this
Court dated 28.10.2024 in
W.P.No.32134 of 2024)

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus forbearing the 1st respondent from
taking coercive steps to evict the petitioner and his family members from
the quarters, till the completion of the academic year of petitioner's
children 2024-2025 for the interest of education.



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For Petitioner : Mr.K.Balu

For Respondents : Mr.P.Balathandayutham
Special Government Pleader

ORDER

The Deputy Inspector General of Police, Chennai Range, Puzhal Prison Complex, Chennai – 600 066, is *suo motu* added as 2nd respondent in this writ petition.

2.This writ petition has been filed for the issue of writ of mandamus forbearing the 1st respondent from taking coercive steps to evict the petitioner and his family members from the quarters till the academic year of the petitioner's children 2024-2025.

3.Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

4.The case of the petitioner is that he was working as Grade-II Warder in the Central Prison at Puzhal. Based on an FIR registered in Crime No.11 of 2008, in which the petitioner was arrayed as an accused, the petitioner was placed under suspension through proceedings dated



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02.08.2008. Thereafter, the petitioner was reinstated into service pending disciplinary proceedings pursuant to the orders passed by this Court.

5.The petitioner was dismissed from service by the 1st respondent through proceedings dated 25.09.2024. Aggrieved by the same, the petitioner filed appeal before the 2nd respondent on 22.10.2024 and the same is pending. In the mean time, steps were taken to vacate the petitioner and his family members from the quarters that was allotted. It is under these circumstances, the present writ petition came to be filed before this Court.

6.Taking into consideration the facts and circumstances of the case and also of the fact that the children of the petitioner are undergoing education in a school and also of the fact that the petitioner has already filed an appeal before the 2nd respondent and the same is pending, this Court is inclined to grant interim protection to the petitioner and his family members.

7.Accordingly, there shall be a direction to the 2nd respondent to deal with the appeal filed by the petitioner on 22.10.2024 on its own



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merits and in accordance with law and pass final orders within a period of twelve (12) weeks from the date of receipt of a copy of this order. Till final orders are passed in the appeal, the petitioner and his family members need not be disturbed in the quarters that was allotted to them. Subject to the final result in the appeal, the further course of action can be taken by either side.

8.In the result, this Writ Petition is disposed of with the above directions. No costs.

28.10.2024

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

NOTE : 1.Registry is directed to carry out necessary amendment in the cause title.

2.Issue order copy on 28.10.2024.



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To

- 1.The Superintendent of Prison,
Central Prisons,
Puzhal, Chennai – 600 066.
- 2.The Deputy Inspector General of Police,
Chennai Range,
Puzhal Prison Complex,
Chennai – 600 066.



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N.ANAND VENKATESH, J.

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