



W.P.(MD)No.5477 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.5477 of 2024

and

W.M.P.(MD).Nos.5235 and 5236 of 2024

R.Soundara Pandian

... Petitioner

Vs.

1.The Deputy Inspector of General,
Ramanathapuram District.

2.The Deputy Inspector of General,
Tirunelveli District.

3.The Superintendent of Police,
Sivagangai District.

4.The Superintendent of Police,
Kanniyakumari District.

5.The Superintendent of Police,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the fourth respondent vide C.No. L1/42940/2023 dated December 2023 and quash the same and consequently directing second and fourth respondent to regularize the service of the petitioner from



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01.09.2008 to 05.01.2010 with all monetary benefits including increments and allowances.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard Mr.K.P.Narayanakumar, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader appearing for the respondents.

2. This Writ Petition has been filed seeking to quash the order passed by the fourth respondent vide C.No. L1/42940/2023 dated December 2023 and with a consequential direction to the second and fourth respondents to regularize the service of the petitioner from 01.09.2008 to 05.01.2010 with all monetary benefits including increments and allowances.

3. Mr.K.P.Narayanakumar, learned counsel for the petitioner submitted that pursuant to the registration of a case in Crime No.4 of 2008 by DVAC, the charge sheet was taken on file in Special Case No.5 of 2009 before the learned



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Special Judge Cum Chief Judicial Magistrate, Kanniyakumari. Subsequently,

the petitioner got acquittal in view of the charges not proved against him.

Earlier when the petitioner was suspended on the very same allegations, he has challenged the order of suspension before this Court by preferring a Writ Petition in W.P.(MD).No.10315 of 2009 and pursuant to the directions obtained in the said Writ Petition, the petitioner got reinstated.

4. Mr.S.Shanmugavel, learned Additional Government Pleader submitted that the petitioner continues to be in service after he got reinstated. Now, the petitioner claims that his services from 01.09.2008 to 05.01.2010 should be regularized and he should be extended with all monetary benefits including increments and allowances.

5. It is learnt that the petitioner has been issued with show cause notice dated 20.04.2023 on certain charges and the same is pending. In fact, the petitioner seems to have filed writ petition challenging the above proceedings in W.P.(MD).No.13931 of 2023 and the same is pending. According to the learned counsel for the petitioner, the stay order has also been granted by staying the further proceedings. When the petitioner wishes to get his services regularized, staying the pending show cause notice or any other proceedings



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consequential to that will not help the petitioner to get the early disposal about his entitlement for regularization of the period of suspension. The petitioner has filed this writ petition without getting disposal of the earlier writ petition filed by him in W.P.(MD).No.13931 of 2023. Since the relief claimed by the petitioner in this writ petition is consequential to the out come of the writ petition in W.P.(MD).No.13931 of 2023, this petition appears to be a pre-matured one. However, the respondents shall pass appropriate orders subject to the out come of the Writ Petition in W.P.(MD).No.13931 of 2023.

6. With the above observations, this Writ Petition is **disposed of**. No costs. Consequently, connected miscellaneous petitions are closed.

02.04.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To

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- 1.The Deputy Inspector of General,
Ramanathapuram District.
- 2.The Deputy Inspector of General,
Tirunelveli District.
- 3.The Superintendent of Police,
Sivagangai District.
- 4.The Superintendent of Police,
Kanniyakumari District.
- 5.The Superintendent of Police,
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R.N.MANJULA, J.

Nsr

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