



WP(MD)No.16937 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.16937 of 2023

and

WMP(MD)No.14161 of 2023

V.Rajendiran

... Petitioner

Vs.

The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings of the respondent through his proceedings dated 21.06.2023 vide Tha.Pa.No.44/2023 issued under Rule 3(b) of Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules, 1955 and quash the same and consequently directing the



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respondent not to pass any adverse order based on the petitioner's representation dated 03.07.2023.

For Petitioner : Mr.Anbumanikandan Tamilsooriyan

For Respondent : Mr.M.Lingadurai

Special Government Pleader

ORDER

The present writ petition has been filed seeking a Writ of Certiorarified Mandamus to quash the impugned proceedings of the respondent dated 21.06.2023 and for a consequential direction to the respondent to consider the petitioner's representation dated 03.07.2023 and not to pass any adverse order against the petitioner.

2. Heard Mr.Anbumanikandan Tamilsooriyan, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader for the respondent.



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3. The petitioner has challenged the show cause notice dated 21.06.2023 stating that it is a false and malicious.

4. Mr.Anbumanikandan Tamilsooriyan, learned counsel for the petitioner submitted that the show cause notice dated 21.06.2023 was given maliciously and the petitioner has also submitted his explanation on 03.07.2023 to the show cause notice.

4. Mr.M.Lingadurai, learned Special Government Pleader, on instructions submitted that the explanation given by the petitioner is under consideration and final orders are yet to be passed. In the meanwhile, the petitioner has filed this writ petition without awaiting for the final orders to be passed.

5. In such case, the petitioner should allow the respondent to pass final orders. At the same time, the respondent cannot sit over the matter indefinitely, but they shall pass orders either to drop the proceedings or to proceed further.



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6. Hence, the respondent is directed to consider the explanation submitted by the petitioner dated 03.07.2023 in pursuant to the impugned show cause notice dated 21.06.2023 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is **disposed of**. No Costs. Consequently, connected miscellaneous petition is closed.

03.06.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
P JL

To
The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul.



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R.N.MANJULA, J.

PJL

**Order made in
W.P.(MD)No.16937 of 2023
and
WMP(MD)No.14161 of 2023**

03.06.2024