



*W.P.(MD)No.21299 of 2024*

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 10.09.2024**

**CORAM:**

**THE HON'BLE MR JUSTICE R.VIJAYAKUMAR**

**W.P.(MD)No.21299 of 2024**

A.John Britto

... Petitioner

vs.

1.The Commissioner  
Disciplinary Proceedings  
5/1-B, Vinayaga Nagar  
Madurai – 20

2.The Inspector of Police  
Vigilance and Anti Corruption  
Alagar Kovil Road  
Tallakulam Post  
Madurai

....Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the second respondent to produce the witnesses before the Tribunal for the Disciplinary proceedings for earlier disposal and ordered to complete the disciplinary proceedings within the time stipulated by this Court.



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For Petitioner : Mr.V.R.G.Mohan

For Respondents : Mr.S.Shaji Bino  
Special Government Pleader

**ORDER**

The instant writ petition has been filed by an Inspector of Police seeking a mandamus directing the second respondent to produce witnesses before the Tribunal for disciplinary proceedings for expeditious disposal.

2.The petitioner was issued with a charge memo by the Tribunal on 16.12.2022.

3.According to the learned counsel appearing for the writ petitioner, the second respondent is not producing their witnesses and they are not co-operating for expeditious disposal of the enquiry proceedings. Hence, the present writ petition.

4.The learned Special Government Pleader appearing for the second respondent, on instructions, submitted that due to heavy pendency before the Tribunal, the cases are adjourned every two months. Out of 44 witnesses, one of them has already been examined and for examining the other witnesses, they require six months time. The second respondent has filed a counter to that effect.



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5.Paragraph Nos.7 and 8 of the counter is extracted as follows:

“7. It is respectfully submitted that Commissioner, Tribunal proceedings, Madurai had further posted the enquiry on 29.10.2024. The 161 (3) Cr.P.C statements of some witnesses are lengthy and it requires more time to record their evidence during rial as both chief and cross examination are to be recorded. Under these circumstances, it is submitted that I will try my level best to produce at least a minimum of two witnesses in the forthcoming hearings and will support to dispose the case within a minimum span of time.

8.It is respectfully submitted, upon considering the above mentioned facts and circumstances, the Honourable High Court may be pleased to grant a period of 6 months time in WP(MD).No.21299 of 2024 to complete the Tribunal Enquiry and thus render justice.”

6. In view of the above said facts, there shall be a direction to the respondents 1 and 2 to complete the disciplinary proceedings on or before 30.04.2025.

7.With the above said directions, this writ petition is disposed of. No costs.

**10.09.2024**

Intex : Yes/No  
Internet : Yes/No  
msa



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**R.VIJAYAKUMAR, J.**

msa

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