



W.P.(MD).No.20728 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20728 of 2024

S.Palaniyappan

... Petitioner

Vs.

The Superintendent of Police,
Theni District,
Theni.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to consider the petitioner representation dated 02.08.2024 to postpone the departmental (Domestic) proceedings till the disposal of Criminal Case in Crime No.38 of 2023 on the file of the District Crime Branch, Theni.

For Petitioner : Mr.V.Manikandan

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



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ORDER

The instant writ petition has been filed by a Junior Assistant working in the respondent office seeking a Mandamus to postpone the departmental (Domestic) proceedings till the culmination of the criminal proceedings.

2. An F.I.R was registered as against the petitioner before the District Crime Branch, Theni, in Crime No.38 of 2023, in which he was arrayed as a second accused. The petitioner was suspended on 13.10.2023 and was issued with a charge memo on 14.06.2024. The petitioner has submitted his explanation on 03.07.2024.

3. The petitioner has sent a representation to the respondent on 02.08.2024 requesting the authorities to postpone the departmental proceedings till the disposal of the criminal case. Since the said request has not been considered, the present writ petition has been filed.

4. On instructions, the learned counsel appearing for the petitioner submits that the petitioner would be satisfied, if the respondent authority is



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directed to consider his representation dated 02.08.2024, seeking to postpone the Domestic Enquiry.

5. In view of the above said facts, the respondent is directed to consider the request of the writ petitioner dated 02.08.2024 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs.

02.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

The Superintendent of Police,
Theni District,
Theni.



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R.VIJAYAKUMAR,J.

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