



W.P.(MD)No.23288 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.23288 of 2023

and

W.M.P.(MD)No.19495 of 2023

K.Padmanabha Pillai

... Petitioner

Vs.

Tamil Nadu Government,
Through the Principal Secretary to Government,
Home (Police-2) Department, Secretariat,
Chennai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to the impugned order in G.O.(2D)No.233, Home (Police-2) Department, dated 22.05.2023 issued by the respondent, which culminated in passing for order of postponement of increment dated 08.07.2023 vide C.No.F1/E-4835749/2023 and quash the same.

For Petitioner : Mr.B.Rajesh Saravanan
For Respondent : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

This writ petition has been filed to quash the order in G.O.(2D)No. 233, Home (Police-2) Department, dated 22.05.2023 issued by the respondent,



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which culminated in passing for order of postponement of increment dated 08.07.2023 vide C.No.F1/E-4835749/2023.

2.Heard Mr.B.Rajesh Saravanan, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader for the respondent.

3.The petitioner was working as an Inspector of Police. He was issued with a charge memo dated 01.08.2019 and after completion of enquiry on the same, he was imposed with the punishment of stoppage of increment for a period of three years with cumulative effect.

4.The learned counsel for the petitioner submitted that the enquiry Officer report has not been properly considered by the appointing authority before proceeding to pass an order of punishment. He further submitted that the co-delinquent had not been found guilty. The petitioner has also filed a review application challenging the punishment imposed against the petitioner and the same is still pending. Hence, the petitioner has filed this writ petition.



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5.The learned Additional Government Pleader for the respondent submitted that the review application filed by the petitioner will be considered only after the disposal of the present writ petition.

6.Since the pendency of this writ petition has become an obstacle to consider the review application filed by the petitioner, I feel it appropriate to dispose of this writ petition.

7.It is needless to mention here that the review application is stated to be pending for a long time and that had prompted the petitioner to file this writ petition. Hence, the respondent is directed to dispose of the review application on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. Thus, this writ petition is **disposed of** by giving liberty to the petitioner to raise all the contentions raised in this writ petition, in the pending review application. No costs. Consequently, connected miscellaneous petition is closed.

02.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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R.N.MANJULA, J.

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To

The Principal Secretary to Government,
Home (Police-2) Department, Secretariat,
Chennai.

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