



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-06-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 16210 of 2025

1. D.Magesh Kumar
S/o.Dhanaraj, No.110, G.S.T.Raod,
Chengalpettu-603 010.

Petitioner(s)

Vs

1. The Principal Secretary To
Government
Home Department (prosecution)
Secretariat, Fort St. George, Chennai-
600 009.

2.The Director Of Prosecution
Office Of The Director Of Prosecution,
No.5, Kamarajar Salai (1st Floor) Slum
Clearance Board, Building, Chennai-
600 005.

3.The Assistant Director Of
Prosecution,
No.35, Pudupet Street, M.K.N Road,
Alandur, Chennai-600 016.



4.J.Thenmozhi

Assistant Public Prosecutor (Grade-II)

No.307/1, 3rd street,

Sakthi Nagar, Alapakkam,

Chengalpat

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issue of writ of Mandamus to direct the 1st respondent to pass necessary orders after taking into consideration the enquiry report submitted by the 3rd respondent in the enquiry proceedings in R.C No.88/ADP/2024 pursuant to the representation of the petitioner dated 12.09.2024 under Rule 19(1)(ii)(2) and 20(1) of the Tamil Nadu Government Service conduct Rules 1973 and further direct the 1st respondent to serve on the petitioner a copy of this order within a fixed time frame and pass orders.

For Petitioner(s): Mr.R.Kannan

For Respondent(s): Mr.E.Vijay Anand

Additional Government Pleader
for R1 to R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to pass orders considering the enquiry report that has already been submitted by the 3rd respondent, pursuant to the representation



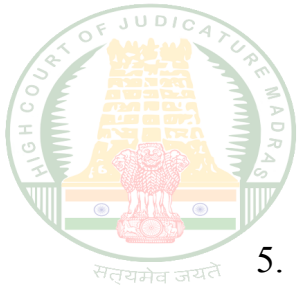
made by the petitioner on 12.09.2024.

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2. Heard Mr.R.Kannan, learned counsel for the petitioner and Mr.E.Vijay Anand, learned Additional Government Pleader for respondents 1 to 3.

3. The case of the petitioner is that he gave a complaint against the Assistant Public Prosecutor, who was posted at VII Metropolitan Magistrate Court, Chennai. Pursuant to the same, no action was taken and hence, the petitioner filed WP No.31872 of 2024 to conduct and conclude the enquiry. This writ petition was disposed of by an order dated 25.10.2024 by directing the 3rd respondent to complete the enquiry within a period of eight weeks. Ultimately, the 3rd respondent has completed the enquiry and forwarded the enquiry report to the 2nd respondent and the 2nd respondent in turn has forwarded the enquiry report to the 1st respondent. Thereafter, there was no progress. It is under these circumstances, the present writ petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case and without going into the merits of the case, there shall be a direction to the 1st respondent to proceed further with the enquiry report that has already been submitted by the 3rd respondent, after affording opportunity to the 4th respondent and final orders shall be passed within a period of eight weeks from the date of receipt of a copy of this order.



5. This writ petition is disposed of with the above directions. No

costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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4. J. Thenmozhi
Assistant Public Prosecutor (grade-ii)
7th Metropolitan Magistrate Court,
App Camber Geroge Town Court
Complex, Chennai-600 001.



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