



W.P.No.17437 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.17437 of 2023

and

W.M.P.No.16594 of 2023

Mr.Dharmender

...Petitioner

-Vs-

1.The Inspector General,
Commander Coast Guard Region (East),
Near Nappier Bridge,
Chennai – 600 009.

2.The Commanding Officer,
ICGS Karaikal, Akkaraivattam,
Neravy Post Box – 1554,
Karaikal – 609 604.

3.The Commanding Officer,
ICGS Rani Durgavati,
C/o.ICGS Karaikal, Akkaraivattam,
Neravy Post Box – 1554,
Karaikal – 609 604.

4.The Assistant Commandant,
ROE Officer / The Commanding Officer,
C-436, C/O ICGS Karaikal,
Post Box – 1554,
Akkaraivattam, Neravy,
Karaikal – 609 604.

...Respondents



W.P.No.17437 of 2023

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Certiorari, to call for the records of the 2nd respondent in the charge sheet dated 05.01.2023 communicated to the petitioner by the 2nd respondent through proceedings 203 dated 03.02.2023 and to quash the same as being illegal and unsustainable in law and pass such further orders.

For Petitioner : M/s.N.Kavitha Rameshwar

For Respondents : Mr.C.Kulanthaivel, SPC

ORDER

This writ petition has been filed for issuance of a Writ of Certiorari, to call for the records of the 2nd respondent in the charge sheet dated 05.01.2023 communicated to the petitioner by the 2nd respondent through proceedings 203 dated 03.02.2023 and to quash the same.

2. Learned senior panel counsel appearing for the respondents would submit that the charges against the petitioner were dropped even prior to the filing of the writ petition and also furnished a copy of the summary trial in respect of Dharmender, U/NVK(RO), 12581-T of ICGS Rani Durgavati dated 12.06.2023, in which it is stated as follows:



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W.P.No.17437 of 2023

“2. This Headquarters has scrutinised the summary trial documents including the punishment approval Form in respect of Dharmender, U/NVK(RO), 12581-T of ICGS Rani Durgavati forwarded by Commanding Officer, ICGS Rani Durgavati vide letter ibid under reference. On persual of the entire evidence adduced during RoE this Headquarters is of the opinion that none of the charges initiated against the accused are not supported by due evidence. Accordingly, the competent authority has decided to acquit the accused of all the charges initiated against him on the ground of lack of enough evidence to prove the guilt of the accused.

3. It is therefore, requested that decision of the approving authority to acquit the accused of all the charges may be intimated to him forthwith.”

Recording the same, **the writ petition stands closed.** No costs.

Consequently, connected miscellaneous petition is closed.

31.01.2025

cda

Index : Yes/No

Speaking/Non Speaking order

To

1.The Inspector General,
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W.P.No.17437 of 2023

J.SATHYA NARAYANA PRASAD, J.

cda

3.The Commanding Officer,
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