



WEB COPY



W.P.No.18832 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.18832 of 2025
and
W.M.P.No.21086 of 2025

V.Sivakumar

... Petitioner

Vs.

1. The Deputy Inspector General of Police,
Villupuram Range, villupuram.
2. The Deputy Superintendent of Police,
Gingee Sub Division,
Villupuram District.
3. The Enquiry Officer,
The Deputy Superintendent of Police,
Tindivanam Sub Division,
Villupuram.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records in B2/PR.06/2025 issued by the first respondent based on the Enquiry Report of the third respondent dated 09.04.2025 and quash the same.



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For Petitioner : Mrs.G.Uma Maheswari
For Respondents : Mr.R.U.Dinesh Raj Kumar,
Additional Government Pleader

ORDER

The instant writ petition has been filed challenging the order dated 22.04.2025 passed by the first respondent.

2. The learned counsel for the petitioner would submit that vide the impugned memo dated 22.04.2025, the first respondent has given only 7 days time to respond to the Enquiry Officer's report. He would further submit that according to the Tamil Nadu Civil Services (Discipline and Appeal) Rules (hereinafter referred to as 'the Rules' for short), he is entitled to 15 days time to give an explanation. Hence, she prayed to interfere with the impugned order.

3. Per contra, the learned Additional Government Pleader would vehemently object to the contention of the petitioner and would submit that the petitioner himself has given a further representation in pursuance of the impugned order dated 22.04.2025, and in pursuance thereof, a final order has



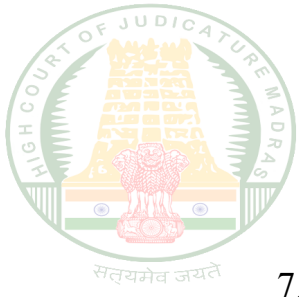
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been passed by the first respondent on 06.06.2025, removing the petitioner from service. In such view of the matter, the present writ petition has become infructuous.

4. I have given my anxious consideration to the submissions made on either side.

5. The only submission made by the learned counsel for the petitioner is that according to the Rules, the petitioner must be given 15 days time to respond to the Enquiry Officer's report, whereas he was given only 7 days. It is the further submission of the learned counsel for the petitioner that though the memorandum calling for a further representation dated 22.04.2025, the same was issued to him on 28.04.2025.

6. However, the learned Additional Government Pleader would invite the attention of this Court to the final order dated 06.06.2025, where there is a reference to the petitioner's further representation, which is dated 16.05.2025. Therefore, by taking more than 15 days time, the petitioner had already submitted the representation.



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7. In such view of the matter, through the impugned order, the petitioner has not been prejudiced. Apart from that, the first respondent has also passed the final order dated 06.06.2025. Hence, as rightly contended by the learned Additional Government Pleader, this writ petition has become infructuous.

8. Accordingly, this Writ Petition is dismissed as infructuous. However, the petitioner is given liberty to challenge the final order dated 06.06.2025 in accordance with law. Consequently, the connected Miscellaneous Petition is closed. No costs.

23.06.2025

kv

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

1. The Deputy Inspector General of Police,
Villupuram Range, Villupuram.
2. The Deputy Superintendent of Police,
Gingee Sub Division,
Villupuram District.



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3. The Enquiry Officer,
The Deputy Superintendent of Police,
Tindivanam Sub Division,
Villupuram.



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C.KUMARAPPAN, J.

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