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W.P.No.21951 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2025

**CORAM
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN**

**W.P.No.21951 of 2025
and
W.M.P.Nos.24692 & 24695 of 2025**

Balamurugan

... Petitioner

Vs.

1. The Deputy Inspector General of Police,
Thanjavur Range, Thanjavur.
2. The Superintendent of Police,
Nagapattinam District, Nagapattinam.
3. The Deputy Superintendent of Police
cum Enquiry Officer,
District Crime Record Bureau,
Nagapattinam District,
Nagapattinam.

4. M.Gunasekaran

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of Mandamus, to direct the 1st respondent to change the enquiry officer namely the 3rd respondent in the conduct of the disciplinary proceedings initiated against the petitioner in P.R.No.14/2014 dated 05.08.2024 by appointing another impartial Enquiry Officer and further



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direct the respondents to furnish six documents sought by the petitioner in his representation dated 08.10.2024 in order to defend himself effectively in the departmental proceedings within a reasonable time.

For Petitioner : Mr.K.Venkataramani
Senior Counsel
for Mr.M.Muthappan

For Respondents : Mr.G.Nanmaran
Special Government Pleader

ORDER

The writ petition has been filed seeking a mandamus for a change of Inquiry Officer on the ground of bias and non-furnishing of documents which the petitioner has sought for.

2. Learned Senior Counsel for the petitioner would submit that in this regard, they have sent a representation to the respondents 1 and 2 dated 12.06.2025.

3. At this juncture, the learned Special Government Pleader would submit that by virtue of the said representation, the petitioner did not sought



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for any change of Inquiry Officer, whereas he sought for certain documents, which according him relied on by the Department.

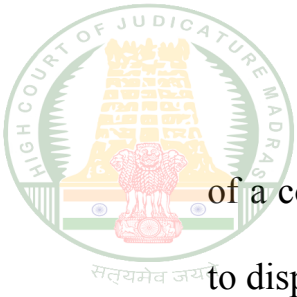
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4. Though there are disputed facts, the sum and substance of the learned senior Counsel's submission is that the Inquiry Officer has not furnished the documents relied by the Department and that is the reason why the petitioner seeks a mandamus to change the Inquiry Officer.

5. Heard both the parties and perused the materials available on record.

6. The writ Court while exercising the powers of judicial review, cannot go into the disputed facts of bias at this preliminary stage, and it is for the Disciplinary Authority to consider the representation of the delinquent in this regard.

7. In such view of the matter, without going into the merits of the matter, this Court deems it appropriate to direct the petitioner to give a fresh representation to the Official respondents by putting forth his ground for change of Inquiry Officer within a period of one week from the date of receipt



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of a copy of this order. On such receipt, the Official respondents are directed to dispose of the same within a further period of two weeks thereafter.

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In the result, the Writ Petition is disposed of with the above direction.

No costs. Consequently, connected miscellaneous petitions are closed.

20.06.2025

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Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

Note: Issue order copy by 24.06.2025 and upload forthwith.

Top

1. The Deputy Inspector General of Police,
Thanjavur Range, Thanjavur.
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Nagapattinam District, Nagapattinam.
3. The Deputy Superintendent of Police
cum Enquiry Officer,
District Crime Record Bureau,
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Nagapattinam.

C.KUMARAPPAN, J.

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