



WEB COPY

W.P No.26016 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

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THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

Writ Petition No.26016 of 2025

and

Writ Miscellaneous Petition No.29268 of 2025

T.Balasundaram

... Petitioner

..Vs..

1.The Superintendent of Police,
Cuddalore – 607 001.

2.The Deputy Superintendent of Police,
Chidambaram Sub-Division,
Cuddalore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the 1st respondent herein to keep the 2nd respondent/enquiry officer's report/minute dated 27.04.2025 under abeyance till the conclusion of the criminal proceedings in Spl.C.C.No.12/2023 on the file of the Special Court/Chief Judicial Magistrate Court, Cuddalore.

For Petitioner : Mr.N.U.Pressanna

For Respondents : Mr.G.Nanmaran,
Special Government Pleader



ORDER

WEB COPY The instant writ petition has been filed to stay the Disciplinary Proceedings, until disposal of the criminal case in Spl.C.C.No.12/2023, on the file of the Special Court/Chief Judicial Magistrate Court, Cuddalore.

2. According to the petitioner, the charges, witnesses and documents relied upon in both the disciplinary proceedings and the criminal proceedings are identical. However, the learned counsel fairly submits that the disciplinary proceedings have already concluded, the Enquiry Officer has submitted the Enquiry Report, and it is now for the petitioner to submit his further representation. Hence, the learned counsel prayed for a stay of the disciplinary proceedings, stating that, otherwise, it would seriously prejudice the petitioner's defence in the criminal case.

3. At this juncture, the learned Special Government Pleader appearing on behalf of the respondents submits that according to the case status, the petitioner is not co-operating before the criminal Court and that



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the disciplinary proceedings have already been concluded therefore, there cannot be any prejudice to the petitioner in the criminal case.

4. I have given my anxious consideration to either side submissions and also perused the materials available on record.

5. The primordial defence raised by the learned counsel for the petitioner is that proceeding with the disciplinary proceedings would compromise the petitioner's defence in the criminal case. But, admittedly, the petitioner had effectively participated in the disciplinary proceedings and had cross examined all the witnesses and the Enquiry Officer has also submitted his Report. Therefore, question of any prejudice to the criminal case does not arise, as the disciplinary proceedings have already been concluded. Hence, this Court does not find any merits in the present writ petition.

6. In the result, the writ petition is dismissed. However, the petitioner is given liberty to give further representation within a period of two (2) weeks from the date of receipt of a copy of this order and on such



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representation is received, the respondents are directed to pass final order within a period of four (4) weeks, thereafter. No costs. Consequently, the connected miscellaneous petition is closed.

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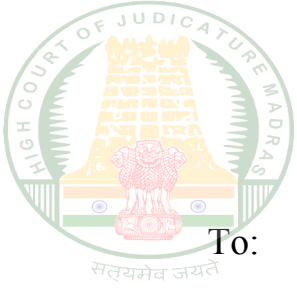
21.07.2025

ssi

Index : Yes

Speaking Order : Yes /No

Neutral Citation Case: Yes/No



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To:

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2.The Deputy Superintendent of Police,
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C. KUMARAPPAN, J.

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