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W.P.No.32897 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01.09.2025

Coram:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.32897 of 2025

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T.Shyam Sundar

.. Petitioner

Vs.

1. The Deputy Inspector General of Police,
Villupuram Range, Villupuram.

2. The Director General of Police (Law and Order),
Office of the Director General of Police,
Mylapore, Chennai.

3. The Secretary to Government,
Home Department,
Fort St.George,
Secretariat, Chennai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent to conclude and pass final orders on the departmental charge memo initiated against the petitioner in its proceedings Tha.Ko.No.02/2025 under Rule 3(b), dated 06.01.2025 within a time frame to be fixed by this Court.

For petitioner : Mr.V.Vijayshankar

For respondents : Mr.Yogesh Kannadasan, Spl.G.P.

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ORDER

The petitioner has filed the present Writ Petition praying for issuance of a Writ of Mandamus to direct the first respondent to conclude and pass final orders on the departmental charge memo initiated against the petitioner in its proceedings Tha.Ko.No.02/2025 under Rule 3(b) (of the Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules), dated 06.01.2025 within a time frame to be fixed by this Court.

2. The petitioner joined service as Sub-Inspector of Police in June 1997. He was promoted as Inspector of Police in the year 2010. While the petitioner was working as Inspector of Police, Kullanchavadi Police Station, Neyveli Sub-Division, Cuddalore District, a false case was registered against him by the V & AC, Cuddalore in Crime No.8 of 2022. On 22.09.2022, the petitioner was placed under suspension stating his involvement in the said case. The petitioner filed a Writ Petition in W.P.No.5737 of 2023 and on 24.03.2023, the said Writ Petition was disposed of directing the respondent therein to re-consider the suspension and to pass orders. Thereafter, on 25.03.2023, the respondents issued orders rejecting the petitioner's request for reinstatement. Hence, the petitioner filed W.P.No.33558 of 2023 and on 05.06.2024, the said Writ Petition was disposed



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of, directing the Chief Judicial Magistrate (Special Judge), Cuddalore to dispose of the trial in Special Case No.8 of 2023 within four months. On 03.12.2024, final judgment in Special Case No.8 of 2023, was passed, acquitting the petitioner of all the charges. No appeal is filed as against the acquittal and the said judgment had attained finality. On 06.01.2025, the respondents issued charge memo on the same set of allegations. The very issuance of the charge-memo is illegal and without authority, since the same set of allegations in the criminal case, resulted in acquittal. However, the petitioner faced the enquiry, which is now over and a report was also submitted. On 25.03.2025 and 28.05.2025, representations were submitted by the petitioner seeking reinstatement, as he was suspended only on account of the criminal case, which had ended in honourable acquittal. After completion of enquiry, and after furnishing of report by the inquiry officer, there is no justification for the respondents to keep the departmental proceedings pending and as the pendency of the proceedings causes immense and irretrievable hardship to the petitioner, affecting his promotional rights, the petitioner has filed the present writ petition for the relief stated *supra*.

3. Taking into account the facts and circumstances of the case and considering the submissions made on either side, this Court directs the respondents to consider and pass orders on the petitioner's representations, on merits and in accordance with law, within a period of eight weeks from the date

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of receipt of a copy of this order.

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4. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

01.09.2025

CS

To

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2. The Director General of Police (Law and Order),
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3. The Secretary to Government,
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A.D.JAGADISH CHANDIRA, J

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