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W.P.No.45634 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K. ILANTHIRAIYAN

W.P.No.45634 of 2025

Mr.James

: Petitioner

Vs.

1.The Joint Commissioner of Police,
South Zone,
Greater Chennai City Police,
St.Thomas Mount,
Chennai-600 014.

2.The Enquiry Officer,
The Assistant Commissioner of Police,
T.Nagar Range,
Chennai-17.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the second respondent the Enquiry Officer, The Assistant Commissioner of Police, T.Nagar Range, Chennai-17 to quash the proceedings in PR.No.59 & 60/PR-II(S)/2025 dated 10.09.2025.

For Petitioner : Mr.C.D.Johnson

For Respondents : Mr.R.Murthi
Government Advocate



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ORDER

This Writ Petition has been filed challenging the order of appointment of Enquiry Officer dated 10.09.2025.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. A similar issue has already been dealt with by this Court in W.P.No.41975 of 2025. This Court, by an order dated 17.11.2025, disposed of the writ petition and held as follows:

3. The petitioner was appointed as a Grade-II Police Constable in the Tamil Nadu Special Police IIIrd battalion. While being so, an F.I.R in Crime No.279 of 2024 was registered against the petitioner for the offences punishable under Sections 8(c), R/w 22(b), 29(1) and 27(a) of NDPS Act, 1985, on 28.11.2024. The investigation has now been completed and a final report has been filed, which has been taken cognizance in C.C.No.359 of 2025 on the file of the learned Principal Sessions Judge in NDPS Court, Chennai. At the same time, the first respondent has also initiated disciplinary proceedings against the petitioner. Subsequently, the second respondent has been appointed as the Enquiry Officer to conduct the domestic enquiry.

4. The learned counsel for the petitioner would



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submit that for the very same set of charges a charge memo has already been issued, and the second respondent has also been appointed as the Enquiry Officer to conduct the domestic enquiry. If the disciplinary proceedings are permitted to proceed further, it would cause prejudice to its criminal case, since the witnesses are one and the same and all the charges are also identical. Further, in the criminal case, summons have already been issued to the witnesses.

5. In view of the above, till the disposal of the criminal case, the respondents are directed to keep the disciplinary proceedings in abeyance for a period of six months from today. The learned Principal Sessions Judge in NDPS Court, Chennai, is directed to complete the trial in C.C.No.359 of 2025 within a period of six months from the date of receipt of a copy of this order. The petitioner shall co-operate with the conduct of the trial before the Trial Court. In the event the Trial Court fails to conclude the trial within the said period of six months, it is open to the respondents to proceed with the disciplinary proceedings in accordance with law.

6. With the above directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

In view of the above, till the disposal of the criminal case, the respondents are directed to keep the disciplinary proceedings in abeyance for a period of six months from today. The learned Principal Sessions Judge in NDPS Court, Chennai, is directed to complete the trial in C.C.No.359 of 2025 within a period of six months from the date of receipt of a copy of this order. The petitioner shall



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co~operate with the conduct of the trial before the Trial Court. In the event the Trial Court fails to conclude the trial within the said period of six months, it is open to the respondents to proceed with the disciplinary proceedings in accordance with law. Consequently, WMP Nos.50847 and 50848 of 2025 are closed.

28.11.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn

To

- 1.The Joint Commissioner of Police,
South Zone,
Greater Chennai City Police,
St.Thomas Mount,
Chennai-600 014.
- 2.The Enquiry Officer,
The Assistant Commissioner of Police,
T.Nagar Range,
Chennai-17.



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G.K. ILANTHIRAIYAN, J.

(mrn)

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28.11.2025