



WEB COPY



W.P.No.47428 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.47428 of 2025
and W.M.P.No.52943 of 2025

K.Shanmugam

...Petitioner

Vs.

1.The Deputy Inspector General of Police,
Thanjavur Region,
Thanjavur District Police Office,
Pampatti Street, Maharonbu Chavadi,
Thanjavur – 613 001.

2.The Superintendent of Police,
Mayiladuthurai District,
District Police Office,
Police Station Road,
Gandhi Nagar, Koranad,
Mayiladuthurai – 609 001.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the Impugned Order bearing Na.Ka.No.B2/May.Mu-23/2025 dated 06.08.2025 passed by the first respondent and quash the same and then direct the respondents to reinstate the petitioner in the post of Special Sub-Inspector with back wages, continuity of service & all other attendance benefits from the date of Order of Compulsory Retirement till reinstatement.



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For Petitioner : Mr.S.R.Sankareshwaran

For respondents : Mr.R.U.Dinesh Raj Kumar,
Additional Government Pleader

ORDER

This writ petition is filed to call for the records of the Impugned Order bearing Na.Ka.No.B2/May.Mu-23/2025 dated 06.08.2025 passed by the first respondent and quash the same and then direct the respondents to reinstate the petitioner in the post of Special Sub-Inspector with back wages, continuity of service & all other attendance benefits from the date of Order of Compulsory Retirement till reinstatement.

2. The case of the petitioner is that the petitioner joined the Tamil Nadu Police Department as a Grade II Police Constable and later promoted as Special Sub-Inspector at Manalmedu Police Station, Mayiladuthurai. The petitioner was issued with a charge memo dated 05.07.2023 alleging that he has escorted a lorry, containing theft sand and the said allegation was also proved by the Enquiry Officer's report dated 26.02.2025. Thus, the petitioner was imposed with a punishment of compulsory retirement from the service vide order dated 21.04.2025. Aggrieved over the same, the

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petitioner has preferred an appeal before the first respondent and the same was dismissed on 06.08.2025. Challenging the said order dated 06.08.2025, the petitioner has come forward with the present writ petition.

3. Learned counsel for the petitioner submitted that allegation as against the petitioner is that the petitioner has escorted the lorry, which contained theft sand. To substantiate the said allegation, no documentary evidence was filed. On the basis of the allegation, a major punishment of compulsory retirement was imposed against the petitioner, which is not sustainable. Hence, he prays for appropriate orders.

4. Per contra, learned Additional Government Pleader appearing for the respondents would submit that as against the order passed by the first respondent, there is an effective appeal remedy available before the Director General of Police under Section 15(A) of the Tamil Nadu Police Subordinate Service Discipline and Appeal Rules, 1955.

5. Heard the learned counsel on either side and perused the materials available on record.



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6. As rightly contended by the learned Additional Government Pleader appearing for the respondents, the petitioner has effective appeal remedy available before the Director General of Police, however, without exhausting the said remedy, filing the present writ petition is not sustainable.

7. In view of the above, this Court grants liberty to the petitioner to file an appeal before the Director General of Police in terms of Section 15(A) of the Tamil Nadu Police Subordinate Service Discipline and Appeal Rules, 1955, within a period four weeks from the date of receipt of a copy of this order.

With the aforesaid direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

09.12.2025

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Index : Yes/No

Speaking order : Yes/No

NCC : Yes/No



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M.DHANDAPANI, J.

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