



WEB COPY



W.P.No.47720 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM:
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.47720 of 2025
and W.M.P.Nos.53269 & 53272 of 2025

R.Sabarigiri

... Petitioner

Vs.

1.The Superintendent of Police,
Coimbatore District.

2.The Deputy Superintendent of Police/
Enquiry officer,
District Crime Branch,
Coimbatore District.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of Constitution of India, for issuance of Writ of Certiorarified Mandamus calling for the entire records leading to the impugned show cause notice dated 29.11.2025 on the file of the second respondent and quash the same and direct the respondents to furnish the alleged enquiry report with documents and provide sufficient opportunity to cross examine the witness in accordance with law.

For Petitioner : Mr.N.Naganathan

For Respondents 1 & 2 : Mr.P.Balathandayutham,
Special Government Pleader



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ORDER

This writ petition is filed to call for the entire records leading to the impugned show cause notice dated 29.11.2025 on the file of the second respondent and quash the same and direct the respondents to furnish the alleged enquiry report with documents and provide sufficient opportunity to cross examine the witness in accordance with law.

2. Learned counsel for the petitioner would submit that the petitioner was placed under suspension while he was working as a Head Constable, in connection to the criminal offence under Section 392 of IPC. In this regard, four charge sheets have been filed in C.C.Nos.127, 128, 161 & 70 of 2024, pending before the Judicial Magistrate No.I & II, Pollachi and the District cum Judicial Magistrate, Madukkarai respectively. During the pendency of the aforesaid criminal case, the first respondent initiated the disciplinary proceeding by issuing a charge memo dated 23.07.2024 and also appointed an enquiry officer on 04.09.2024. Therefore, the petitioner has filed a Writ Petition in W.P.No.17078 of 2025 to defer the departmental proceedings, till the disposal of the criminal case and W.P.No.30640 of 2025, challenging the suspension order and to pay the subsistence allowance from the date of suspension. Pending these writ petitions, the first respondent by his letter



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dated 03.06.2025, appointed the second respondent as Enquiry Officer.

Under these circumstances, this Court vide order dated 18.11.2025, dismissed the W.P.No.17078 of 2025 with a direction to complete the disciplinary proceedings within a period of six months. Subsequent to the dismissal of the writ petition, the second respondent issued a show cause notice dated 29.11.2025, directing the petitioner to submit his explanation. Aggrieved over the same, the petitioner has come forward with the present writ petition.

3. Learned counsel for the petitioner would further submit that without providing an opportunity and not furnishing a copy of the enquiry report, the second respondent forcing the petitioner to file a written explanation is not sustainable. However, the petitioner would furnish the written explanation, within a period of two weeks, in the event, the second respondent provides the enquiry report and permits the petitioner to cross examine the witness.

4. Heard the learned counsel for the petitioner and perused the materials available on record.



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5. Recording the submissions made by the learned counsel for the petitioner, this Court issues the following directions:

(i) The petitioner is directed to file a written explanation, within a period of two weeks from the date of receipt of a copy of the enquiry report furnished by the second respondent;

(ii) On filing of written explanation by the petitioner, the respondents are directed to conduct a departmental enquiry by appointing an enquiry officer and giving opportunity to the petitioner to cross examine the witness and thereafter, conclude the proceedings in the manner known to law.

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

05.12.2025

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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking order



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To

- 1.The Superintendent of Police,
Coimbatore District.
- 2.The Deputy Superintendent of Police/
Enquiry officer,
District Crime Branch,
Coimbatore District.



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M.DHANDAPANI, J.

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