



W.A.(MD)No.684 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.07.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.684 of 2024
and
C.M.P.(MD)No.5051 of 2024**

1.The Director General of Police,
Chennai - 4.

2.The Deputy Inspector General of Police,
Trichy Region, Trichy.

3.The Superintendent of Police,
Pudukottai District.

... Appellants

Vs.

V.Selvam

... Respondent

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.9292 of 2019 dated 24.01.2023 on the file of this Court.



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For Appellants : Mr.A.Kannan,
Addl. Government Pleader.

For Respondent : Mr.M.Pitchai Muthu

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The writ petitioner joined the police department as Constable. He was subsequently promoted. His wife gave a matrimonial complaint against him and it was registered as Crime No.4 of 2005. Subsequently, it was taken up for trial in C.C.No.329 of 2005 on the file of Judicial Magistrate, Pudukottai. Even during the pendency of the criminal prosecution, he was departmentally dealt with. He was found guilty. He was eventually awarded with punishment of stoppage of increment for a period of two years with cumulative effect. Challenging the said order, the writ petitioner filed W.P.(MD)No.9292 of 2019. The learned Single Judge vide order dated 24.01.2023 quashed the orders impugned therein and allowed the writ petition. Aggrieved by same, this writ appeal has been filed.

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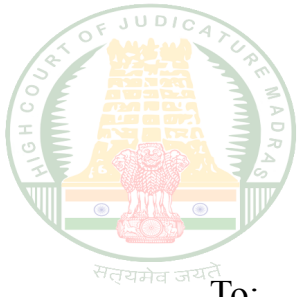
3. There is considerable force in the stand of the learned Additional Government Pleader that challenge was mounted by the writ petitioner rather belatedly. Yet, we are not inclined to interfere with the order of the learned Single Judge for the simple reason that the cause of action underlying the departmental proceedings as well as the criminal prosecution is one and the same. Same set of witnesses were examined in the criminal case as well as departmental enquiry. When the Criminal Court had acquitted the writ petitioner, we are of the view that a contra finding rendered by the disciplinary authority cannot be allowed to stand.

4. It is in this view of the matter, we decline to interfere with the order of the learned Single Judge and the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.,) & (K.R.S. J.,)
23.07.2025

NCC : Yes/No
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