



W.A.(MD)Nos.105 and 741 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.04.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A.(MD)Nos.105 and 741 of 2022
and
C.M.P.(MD)No.1300 of 2022**

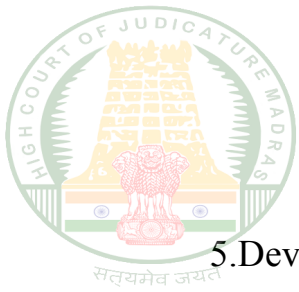
W.A.(MD)No.105 of 2022:-

Sai Saran Thejasvi,
Assistant Superintendent of Police,
Colachel Sub Division,
Colachel and Post,
Kanyakumari District.

... Appellant

Vs.

- 1.M.Asilar
- 2.The Chief Secretary to the Government,
Secretariat, Chennai - 09.
- 3.The Secretary to the Government,
Home Department, Secretariat,
Chennai - 09.
- 4.The Superintendent of Police,
D.P.O. Nagercoil Post,
Kanyakumari District.



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5.Devaraj

6.Jinnah Beer Muhammed

7.Alex

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order dated 01.10.2021 passed in W.P.(MD)No.22630 of 2017 on the file of this Court.

For Appellant : Mr.C.Venkatesh Kumar,
For M/s.Ajmal Associates.

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R2 & R3.
Mr.A.Albert James,
Govt. Advocate (Crl. Side) for R4.
Mr.R.Ramasamy for R1

W.A.(MD)No.741 of 2022:-

Devaraj ... Appellant

Vs.

1.M.Asilar

2.The Chief Secretary to the Government,
Secretariat, Chennai - 09.

3.The Secretary to the Government,
Home Department, Secretariat,
Chennai - 09.



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4.The Superintendent of Police,
D.P.O. Nagercoil Post,
Kanyakumari District.

5.Devaraj

6.Jinnah Beer Muhammed

7.Alex

8.The Director General of Police,
Chennai.

9. Maria Sebastian

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order dated 01.10.2021 passed in W.P.(MD).No.22630 of 2017 dated on the file of this Court.

For Appellant : Mr.S.Sivakumar

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R2 & R3.
Mr.A.Albert James,
Govt. Advocate (Crl. Side) for R4 & R8.
Mr.R.Ramasamy for R1

COMMON JUDGMENT

These writ appeals are directed against the order dated 01.10.2021 made in W.P.(MD)No.22630 of 2017. Against the very same order, one Jinna Peer Mohamed, who was shown as the sixth respondent in the writ



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petition filed W.A.(MD)No.252 of 2022. The writ appeal was disposed of by the Hon'ble Division Bench on 17.03.2022 in the following terms:-

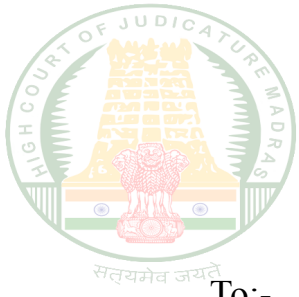
“5.We find some force in the contention of the learned counsel for the appellant. We dispense with the notice to the first respondent, since the main Writ Petition's prayer has been rejected and the same has not been challenged. We feel that a direction to take disciplinary proceedings straightaway would definitely cause stigma on the appellant. We, therefore, modify the order and direct the official respondents to conduct an enquiry, as to the happenings in the police station and if the official respondents find that there is some material available to proceed against any of the police officials, then they can take suitable action against the police officials.”

2.When the order impugned in these writ appeals had already been dealt with by a coordinate division bench, it would not be appropriate for us to give any independent disposal. Hence, these writ appeals are disposed of on the same lines. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (M.J.R. J.)
03.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-
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- 1.The Chief Secretary to the Government,
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- 2.The Secretary to the Government,
Home Department, Secretariat,
Chennai - 09.
- 3.The Superintendent of Police,
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Kanyakumari District.
- 4.The Director General of Police,
Chennai.



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G.R.SWAMINATHAN, J.
and
M.JOTHIRAMAN, J.

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