



W.P.(MD)No.18273 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.18273 of 2025

R.Raja

: Petitioner

Vs.

1. The Director General of Police,
Law and Order,
Chennai.

2. The Superintendent of Police,,
District Police Office,
Thanjavur.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records relating to the order passed by the respondent herein in his proceedings Na.Ka.No.A2/965/2025 dated 04.04.2025 and quash the same and consequently direct the respondent herein to include the name of the petitioner in the list of Grade I Police Constables ungraded as Head Constables issued in his proceedings in DO.No.390/2025 in Rc.No.A2/7965/2025 dated 03.04.2025 at the appropriate place and grant him upgradation as Head Constable with w.e.f 01.04.2025 together with



W.P.(MD)No.18273 of 2025

WEB COPY

all consequential service and monetary benefits.

For Petitioner : Mr.G.Bala

For Respondents : Mr.S.R.A.Ramachandran

Additional Government Pleader

ORDER

Aggrieved by the denial of promotion vide proceedings dated 04.04.2025, on the ground of a pending charge memo and seeking inclusion of his name in the list of Grade I Police Constables upgraded as Head Constables, issued in D.O. No. 390/2025 in Rc. No. A2/7965/2025 dated 03.04.2025, at the appropriate place and further seeking upgradation as Head Constable with effect from 01.04.2025, together with all consequential service and monetary benefits, the petitioner has filed the present writ petition.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



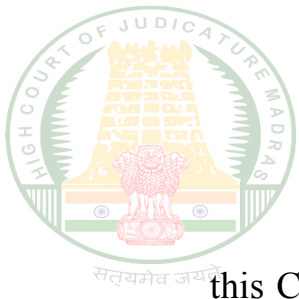
W.P.(MD)No.18273 of 2025

WEB COPY

3. The learned counsel for the petitioner submitted that the impugned proceeding was issued denying the petitioner's promotion on the ground of the pendency of a charge memo. However, the fact remains that the petitioner has not been issued with any charge memo till date. Consequently, the issuance of the impugned proceedings is in violation of the principles of natural justice, as the petitioner was not given an opportunity to address any charges or allegations, nor was he afforded due process.

4. On the other hand, the learned Additional Government Pleader, appearing on behalf of the respondents, refuting the contention of the learned counsel for the petitioner, submitted that a charge memo has already been issued to the petitioner and the petitioner was suspended on 30.09.2024 and that the enquiry proceedings pursuant thereto are currently underway. Accordingly, he requested a period of three months to complete the enquiry initiated against the petitioner.

5. In view of the above submission, in the interest of justice and to ensure that the issue is adjudicated fairly and without undue delay,



W.P.(MD)No.18273 of 2025

WEB COPY

this Court is inclined to permit the enquiry proceedings to be conducted and concluded in a time-bound manner. Accordingly, this Court directs the respondents to proceed with the disciplinary enquiry and complete the same within a period of three months from the date of receipt of a copy of this order. It is made clear that the enquiry shall be conducted strictly in accordance with law and the petitioner shall be afforded due opportunity to submit his explanation and to participate in the enquiry proceedings.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

04.07.2025

Index : Yes / No

Internet : Yes / No

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W.P.(MD)No.18273 of 2025

WEB COPY

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W.P.(MD)No.18273 of 2025

VIVEK KUMAR SINGH, J.

PKN

W.P.(MD) No.18273 of 2025

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