



W.P.(MD)No.19485 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.08.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.19485 of 2025

and

W.M.P.(MD) No.14957 of 2025

K.Thangavel

: Petitioner

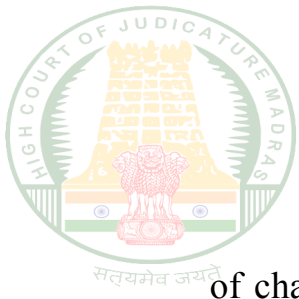
Vs.

1. The Commissioner of Police,  
Tirunelveli City,  
(I/c) Deputy Inspector General of Police,  
Tirunelveli Range,  
Tirunelveli.

2. The Superintendent of Police,  
O/o.The Superintendent of Police,  
Tirunelveli District.

: Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing respondents 1 and 2 to defer the conduct of Enquiry in the Disciplinary proceedings initiated in Proceedings No. C.No. C1/2413/2022 dated 28.05.2025 pursuant to Charge Memo Tha.Pa.26 of 2025 dated 02.05.2025 passed by 1<sup>st</sup> respondent till the disposal of the criminal case in Spl. C.C.No. 1 of 2023 on the file of the Learned Chief Judicial Magistrate / Special Court for Prevention of Corruption Act cases, Nagercoil on the ground of similarity



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of charges based on the same set of oral and Documentary evidence by considering petitioner's representation dated 28.05.2025 and 19.06.2025.

For Petitioner : Mr.C.Sailendrababu

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

Additional Government Pleader

### **ORDER**

This writ petition has been filed seeking a direction to the respondents 1 and 2 to defer the conduct of Enquiry in the Disciplinary proceedings initiated in Proceedings No. C.No. C1/2413/2022 dated 28.05.2025 pursuant to Charge Memo Tha.Pa.26 of 2025 dated 02.05.2025 passed by 1<sup>st</sup> respondent till the disposal of the criminal case in Spl. C.C.No. 1 of 2023 on the file of the Learned Chief Judicial Magistrate / Special Court for Prevention of Corruption Act cases, Nagercoil on the ground of similarity of charges based on the same set of oral and Documentary evidence by considering petitioner's representation dated 28.05.2025 and 19.06.2025.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



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3. The petitioner, who was working as Deputy Superintendent of Police, made a representation dated 19.06.2025 seeking to defer the departmental proceedings in view of the pendency of the criminal case. Since the said representation was not considered till date, the petitioner has filed the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 19.06.2025, on its own merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy



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of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**25.08.2025**

Index : Yes / No  
NCC : Yes / No  
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To:-

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Tirunelveli.
2. The Superintendent of Police,  
O/o.The Superintendent of Police,  
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**M.DHANDAPANI, J.**

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