



WA(MD)No.2709 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.01.2025

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**WA(MD)No.2709 of 2024
and
CMP(MD)No.18719 of 2024**

1. The Director General of Police,
Santhome,
Chennai 600 004.

2. The Commissioner of Police,
Madurai City,
Madurai.

3. The Deputy Commissioner of Police (L & O),
Madurai District,
Madurai.

... Appellants

vs.

S.Udaya Suriyan

... Respondent

Prayer : Appeal filed under Clause 15 of the Letters Patent, against the order dated 12.09.2022 made in W.P(MD)No.13595 of 2019.

For Appellants : Mr.S.Shaji Bino, Special Government Pleader
For Respondent : Mr.M.E.Ilango



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JUDGMENT

(Judgment of the Court was made by **M.S.RAMESH, J.**)

By consent of both the counsels, the writ appeal itself is taken up for final disposal.

2. The present Writ Appeal is directed against the order passed by the Writ Court dated 12.09.2022, made in W.P(MD)No.13595 of 2019.

3. On the strength of the proven charges, the respondent herein was imposed with a punishment of stoppage of increment for a period of three years with cumulative effect, which order of punishment was put to challenge before the Writ Court.

4. The learned Single Judge, through his order dated 12.09.2022, passed in W.P(MD)No.13595 of 2019, had set aside the punishment, by holding it as perverse and in violation of the principles of natural justice.

5. We find from the records that during the enquiry, the enquiry officer has himself chosen to cross examine the delinquent officer and has also conducted a discreet and secret enquiry and had come to a conclusion that the



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delinquent officer had prevailed upon the witness to turn hostile. Such a course adopted by the enquiry officer is alien to service jurisprudence. The learned Single Judge had rightly appreciated and found the enquiry proceedings itself to be vitiated and had thus set aside the consequential punishment. We do not find any infirmity or illegality in the same.

6. Accordingly, the Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(M.S.R, J.) (A.D.M.C, J.)
07.01.2025

Index : Yes / No
Neutral Citation : Yes / No
bala

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A.D.MARIA CLETE, J.

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JUDGMENT MADE IN
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