



WEB COPY



WA No. 1056 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

and

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1056 of 2026

G.Ulaganathan
S/o.Govindarajan,
Force No.903045372,
Battalian C.R.P.F,
Residing at Door No.107,
Maliku Melpuram,
Melpadi Post, Vallimalai,
Vellore District-632 520

..Appellant(s)

Vs

1. The Director General
Central Reserve Police Force,
C.G.O. Complex, Lodhi Road,
New Delhi.
2. The Deputy Inspector General
Central Reserve Police Force,
Avadi, Chennai-600 065.
3. The Commandant
65th Bn. C.R.P.F., Tulsi Baradera,
Raipur (CG), Chattisgadh-492 101.

..Respondent(s)



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Prayer: Appeal filed under clause 15 of the Letters Patent to set aside the Order passed in WP No.27879/2017 dated 14.12.2023 and allow the said Writ Petition.

For Appellant(s): Mr.G.Anabayachozhan

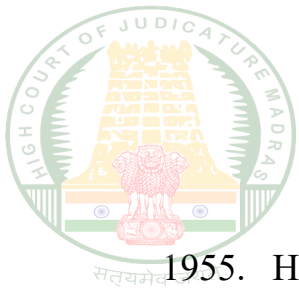
For Respondent(s): Mr.K.S.Jeyaganeshan
Senior Panel Counsel (for R1 to R3)
(Memo of Appearance Filed) in Sr Stage

JUDGMENT

(Judgment of the Court was delivered by N.Senthilkumar J.)

This intra court appeal has been filed challenging the order passed by the Writ Court in WP No.27879 of 2017 dated 14.12.2023.

2.The case of the Appellant is that he was appointed as a Constable in the year 1990 and got promoted as Head Constable/Guard Commander-Battalion. While so, on 27.11.2009, there was a fire accident in the tent, in which the arms and ammunition entrusted to him were saved, however, the kit issued to him was burnt. Therefore, an enquiry was conducted by the 3rd respondent in the year 2009. It is the further case of the Appellant that he had submitted an application seeking voluntary retirement under Voluntary Retirement Scheme (VRS) with pension as per Rule 43(d)(i) of Central Reserve Police Force Rules,



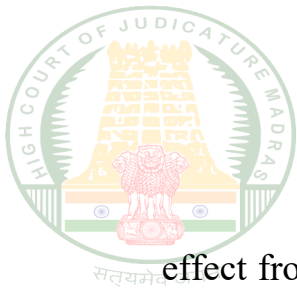
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1955. However, the appellant cannot be relieved under Voluntary Retirement Scheme, till the Court of Inquiry attains the finality, with regard to the fire accident.

3. Taking into consideration that the appellant was serving in a disciplined force and was responsible for safeguarding the kit entrusted to him and further taking note of his prolonged unauthorised absence, an order of dismissal from service was passed as punishment. Against which the appellant filed a writ Petition in W.P.No.27879 of 2017.

4. The Writ Court, after considering all the relevant factors and taking note of the fact that the appellant was serving in the CRPF, however, being a member of the disciplined force, he had not maintained the requisite devotion and discipline during his service period. Moreover, he had been in unauthorised leave without participating in the enquiry conducted against him, hence the Writ Petition was dismissed.

5. Mr. G. Anabayachozhan, learned counsel for the Appellant contended that appellant's request for voluntary retirement had initially been accepted with



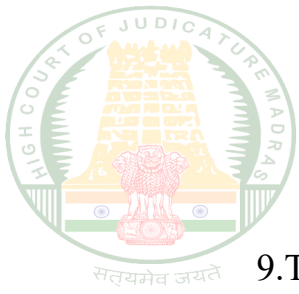
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effect from 01.11.2013, by proceedings dated 26.08.2013. However, according to him, no consequential order relieving the Appellant from service, pursuant to the acceptance of his request for voluntary retirement had been issued either by the respondents or by the competent authority.

6.He further contended that a warrant of arrest had been issued against the appellant by the respondents and due to which he was unable to participate in the enquiry proceedings. Therefore, he had justified in not participating in the enquiry and the same should not be held against him, as he was deprived of an opportunity to place his defence.

7.Heard the learned counsel for the parties and perused the available records.

8.The Appellant, who served in the armed force, which is a disciplined force, was expected to discharge his duties with utmost sincerity, devotion and conduct himself in consonance with the Rules contemplated under the Central Reserve Police Force Rules, 1955.



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9.The Appellant is not a layman or a stranger to know what the law is.

When the appellant was aware of the issuance of a warrant of arrest against him, instead of submitting himself before the law or taking recourse to the legal remedies available against the issuance of the warrant of arrest, he cannot take a ground that he was unable to appear in the enquiry because of issuance of the warrant of arrest. Such conduct itself is a dereliction of duty and cannot be accepted.

10.It is to be noted that the Appellant has not given any plausible reasons for the fire accident that resulted in the burning of the kit entrusted to him. Further, his prolonged absence from duty without any permission from the respondents, constituted serious misconduct on the part of the appellant herein. Therefore the order passed by the writ court needs no interference.

11.In view of the same, the present Appeal is dismissed as devoid of merits. No costs.

(S.M.S.,J.)

(N.S.,J.)

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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N.SENTHILKUMAR J.
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