



W.P.(MD).No.6737 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27-03-2026

CORAM :

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.6737 of 2026

and

W.M.P.(MD).No.5567 of 2026

S.Yesu Rajasekaran

...Petitioner

Vs

1. The Deputy Inspector General of Police,
Tirunelveli Range, Tirunelveli.

2. The Superintendent of Police,
Tuticorin District,
Tuticorin.

3. The Superintendent of Police,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the 1st respondent from passing the final order in the disciplinary proceedings against the petitioner in P.R.No.45 of 2025 on the file of the 1st respondent till the disposal of the criminal case in Crime No.10 of 2024 on the file of the Inspector of Police, District Crime Branch, Kanyakumari District and pass such further or other orders.



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For Petitioner : M/s.P.Athimoolapandian
For Respondents Mr.B.Ramanathan
Additional Government Pleader

ORDER

This writ petition is filed seeking Writ of Mandamus forbearing the first respondent from passing the final order in the disciplinary proceedings against the petitioner vide P.R.No.45 of 2025 till the disposal of the criminal case in Crime No.10 of 2024 on the file Inspector of Police, District Crime Branch, Kanyakumari District.

2. Heard Mr.P.Athimoolapandian, learned Counsel for petitioner and Mr.B.Ramanathan, learned Additional government Pleader for the respondents and perused the materials available on record.

3. Consequent upon the involvement of the petitioner in Crime No. 10 of 2024 on the file of the District Crime Branch, Kanyakumari, he was arrested and subsequently enlarged on bail. Thereafter, the petitioner was placed under suspension on 25.11.2024, and disciplinary proceedings were initiated by issuing a charge memo dated 09.04.2025. In response thereto, the petitioner submitted his explanation, and a



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detailed enquiry was conducted in respect of the three charges levelled against him. Finally, a copy of the inquiry officer's report was furnished to the petitioner, and he was called upon to submit his further representation through proceedings dated 10.02.2026. In response thereto, the petitioner submitted his reply on 25.02.2026, contending that the respondents are not entitled to proceed with the disciplinary proceedings initiated in P.R. No. 45 of 2025, solely on the ground that the subject matter of Crime No. 10 of 2024 has no nexus with his employment. He further contended that, in terms of G.O.Ms. No. 124, Personnel and Administrative Reforms (Per.N) Department, dated 22.02.1983, the departmental proceedings cannot be proceeded with any further, except to await the result of the criminal case registered against him.

4. According to the learned Counsel for the petitioner, the respondents have not taken any action on the objection raised by the petitioner.



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5. On the other hand, Mr.B.Ramathan, learned Additional Government Pleader appearing for the respondents, contended that, in addition to the orders issued in G.O.Ms. No. 124, Personnel and Administrative Reforms Department, dated 22.02.1983, further orders have been issued vide G.O.Ms. No.66, Human Resources Management (N) Department, dated 06.07.2022. He further submitted that the respondents would consider the objections raised by the petitioner, duly taking into consideration the said Government Orders, and then only proceed with the departmental proceedings in accordance with law.

6. In the light of the above, and taking into consideration that the petitioner has raised a substantial objection by placing reliance on the Government Orders, without submitting his further explanation pursuant to the proceedings dated 10.02.2026, it would be appropriate for the respondents to consider the objection raised by the petitioner before proceeding further with the enquiry on merits.



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7. In such circumstances, the respondents are directed to consider the objection raised by the petitioner and pass appropriate orders as to whether the Government Orders in G.O.Ms.Nos. 124 and 66 would apply to the case of the petitioner, and to communicate the said orders to the petitioner. In the event the first respondent comes to the conclusion that the said Government Orders are applicable, he shall pass consequential orders in the enquiry proceedings in P.R. No. 45 of 2025.

8. With the above directions, this Writ Petitions stands disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

27.03.2026

NCC:yes/no
Index:yes/no
Internet:yes/no
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MUMMINENI SUDHEER KUMAR, J.

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To:

1. The Deputy Inspector General of Police,
Tirunelveli Range, Tirunelveli.
2. The Superintendent of Police,
Tuticorin District,
Tuticorin.
3. The Superintendent of Police,
Nagercoil,
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