



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

**WP No. 19741 of 2026
and
WMP No.21040 of 2026**

Meenapriya
D/o.M.Muthuvel,
Sf.No.112/11al, Chandra Nagar,
Allor Panagadi Road,
Sivagangai Taluk,
Sivagangai-630 561

..Petitioner(s)

Vs

Deputy Superintendent of Police
Vigilance and Anti-Corruption,
Chennai City-III Unit,
Chennai-600 016

..Respondent(s)

This writ petition has been filed to issue a writ of Certiorarified Mandamus to call for the records relating to the impugned order passed on 22.07.2025 in TDP Case.No.10 of 2022 pending on the file of Commissioner Proceedings of the Tribunal (as constituted by the commissioner) for Disciplinary proceedings, Chennai and to quash the same as illegal.

For Petitioner(s): Mr. S.Raghuman

For Respondent(s): Mr. V.Prasad, Gov. Advocate



ORDER

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This writ petition has been filed challenging the impugned order dated 22.07.2025 passed by the Commissioner for Disciplinary Proceedings, Chennai in TDP Case.No.10 of 2022, whereby the petitioner's request to recall certain prosecution witnesses for cross examination was rejected.

2. The petitioner is presently working as Inspector of Police, Pollachi Town Police Station, Coimbatore District. While she was working in the Bank Fraud Investigation Cell, CCB, Chennai, disciplinary proceedings were initiated against her. A show cause notice dated 23.10.2019 was issued, to which she had submitted her explanation on 25.10.2019. Thereafter, the matter was taken on file as TDP Case.No.10 of 2022 before the Tribunal for Disciplinary Proceedings, Chennai, and charges were framed against her. During the enquiry, the prosecution examined P.W.1 Prabhakaran on 20.05.2024, P.W.2. R.Sureshkumar, on 06.11.2024, P.W.3 K.Saravanakumar on 03.12.2024, P.W.4.S.Shanthi on 03.12.2024, P.W.5 M.Stalin Jose on 03.12.2024, and P.W.6-Vincent on 20.05.2025. The petitioner cross examined P.W.1 and P.W.6, but could not cross examine P.Ws.3, 4 and 5 on the dates fixed for their examination. Subsequently, she filed a petition before the Tribunal seeking recall of the said witnesses for cross-examination. The said petition was



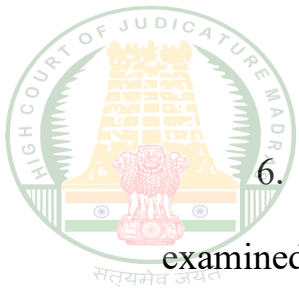
dismissed by the Tribunal by order dated 22.07.2025. Aggrieved over the same, the present writ petition has been filed.

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3. The learned counsel for the petitioner would submit that since the counsel for the petitioner was suffering from severe viral fever on the relevant dates and therefore, could not appear to cross examine P.Ws.3, 4 and 5. The denial of an opportunity to cross examine the witnesses has caused serious prejudice to the petitioner. He would further submit that the enquiry is still pending and the matter is posted today for hearing.

4. Per contra, the learned Government Advocate appearing for the respondent would submit that sufficient opportunities had already been afforded to the petitioner and that the present petition has been filed only to delay the disciplinary proceedings. The list of the dates on which the matter was posted and the petitioner had not appeared has been set out in the impugned order.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent and perused the materials available on records.



6. On perusal of the records, it is seen that P.Ws.,3, 4 and 5 were examined on 03.12.2024 and their chief examination was recorded. The oral evidence would reveal that the absence of the petitioner and her counsel were taken note of. However, there is no order closing the cross examination of the witness. Without doing so, the commissioner has noted that there was no re-examination. Though the petitioner filed a petition seeking recall of the said witnesses for cross examination, the same came to be dismissed by the impugned order.

7. This Court is conscious of the fact that disciplinary proceedings should not be unnecessarily delayed. However, the right of the cross- examination is an important facet for establishing the case. Since the petitioner seeks only an opportunity to cross examine P.Ws.3, 4 and 5, no serious prejudice would be caused to the respondents by granting one final opportunity, considering the fact that the enquiry is still pending. Therefore, this Court is of the view that the ends of justice would be met by permitting such cross examination subject to strict timelines. The denial of an opportunity to cross examine P.Ws.3,4 and 5 may adversely affect her defence. Therefore, in order to afford an opportunity to the petitioner to cross-examine the prosecution witnesses, this Court is inclined to interfere with the impugned order.



8. Accordingly, the impugned order dated 22.07.2025 is set aside and this writ petition is allowed with the following directions:

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(i) The Commissioner for Disciplinary Proceedings, Chennai, shall adjourn the matter to **17.06.2026** for the purpose of cross-examination of **P.W.3 K.Saravanakumar, P.W.4 S.Shanthi, and P.W.5 M.Stalin Jose.**

(ii) The petitioner shall **commence the cross examination of these witnesses on 17.06.2026 and complete the same on or before 19.06.2026** without seeking any adjournment.

(iii) In the event of failure to complete the cross-examination within the aforesaid period, the opportunity granted by virtue of this order shall stand forfeited and the Enquiry Officer/Commissioner, shall proceed further with the enquiry in accordance with law.

No costs. Consequently, connected miscellaneous petition is closed.

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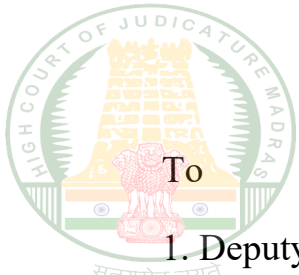
Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MRP

Note : Issue order copy today.



To

1. Deputy Superintendent of Police
Vigilance and Anti-Corruption,
Chennai City-III Unit,
Chennai-600 016

2. The Commissioner,
Tribunal for Disciplinary Proceedings,
Chennai.

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P.T.ASHA, J.

MRP

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