



W.P.No.24464 of 2023

W.P.No.24464 of 2023 and
W.M.P.No.23887 of 2023

WEB COPY

N.SATHISH KUMAR, J.

Mr.S.Rajesh, learned Government Advocate takes notice for the respondents 1 to 4.

2.Challenging the impugned proceedings in Na.Ka.No.3024/E2/2013, dated 28.07.2023 passed by the 1st respondent and the consequential notice bearing Na.Ka.No.19944/Aa1/2022, dated 04.08.2023 issued by the 4th respondent, this Writ Petition has been filed.

3.On perusal of the entire records, it is seen that the petitioner was originally prosecuted for offence under Sections 7, 13(2) r/w 13(1)(d) Prevention of Corruption Act, 1988 in C.C.No.6 of 2014, on the file of the Special Court for the cases under the Prevention of Corruption Act, Chennai. After ful-fledged trial, the learned Special Judge, by judgment, dated 05.03.2019 acquitted the petitioner holding that the charges have not been established and also recorded that the entire trap itself is orchestrated by the defacto complainant/PW2 and the Investigation Officer/PW10. After



W.P.No.24464 of 2023

WEB COPY

eighteen months of acquittal, the departmental proceedings also initiated against the petitioner and on 23.03.2022, the enquiry officer concluded that the charges have not been established against the petitioner. Thereafter, it appears that on the basis of the recommendation made by the Directorate of Vigilance and Anti Corruption, again second enquiry notice has been issued to the petitioner.

4.Considering the fact that the disciplinary proceedings already initiated and culminated into a final order, once again issuing notice to the petitioner for second enquiry, in view of this Court, cannot be sustained.

5.Accordingly, there shall be an order of interim stay. Post the matter for filing counter affidavit on 10.10.2023.

18.08.2023
($\frac{1}{2}$)

vv2



WEB COPY



W.P.No.24464 of 2023

N.SATHISH KUMAR, J.

vv2

W.P.No.24464 of 2023 and
W.M.P.No.23887 of 2023

18.08.2023