

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 478 of 2010

Monday, this the 26th day of March, 2012

CORAM:

Hon'ble Mr. Justice P.R. Raman, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

Tomin J. Thachankary, IPS (KL-87),
 S/o. late Joseph Thomas, aged 46 years,
 Inspector General of Police,
 Kannur Range (Under Orders of suspension),
 Range House, Near Municipal Office,
 Kannur – 670 002.

..... **Applicant**

(By Advocate – Mr. O.V. Radhakrishnan, Sr.
Ms. K. Radhamani Amma)

V e r s u s

1. State of Kerala, represented by its Chief Secretary,
 Government Secretariat, Thiruvananthapuram-695 001.
2. Union of India, represented by its Secretary,
 Ministry of Home Affairs,
 New Delhi – 110 001.

..... **Respondents**

[By Advocate – Mr. P.K. Abdul Rahiman, GP(R1)]

This application having been heard on 26.03.2012, the Tribunal on the same day delivered the following:

ORDER

By Hon'ble Mr. Justice P.R. Raman, Judicial Member-

The challenge made in the Original Application is against the memorandum of charges. Originally an interim order was granted not to proceed with the further steps. Subsequently after the Full Bench decision the stay was vacated. At this stage after going through the charges, we are not



fully satisfied that the charges are totally unsustainable. However, we do not want to finally take any decision in the matter since the applicant has other remedy available to him to challenge the memorandum of charges even before the Department at appropriate stage. Learned counsel for the applicant seeks to withdraw the Original Application with liberty to challenge the charges before the appropriate authority at appropriate stage of the proceedings.

2. Without expressing any view on the merits of the charges, we permit the applicant to withdraw the OA subject to his right referred as above. OA is dismissed as withdrawn. No costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(JUSTICE P.R. RAMAN)
JUDICIAL MEMBER

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