**Writ Of Prohibition**

IN THE HON’BLE HIGH COURT OF JUDICATURE AT\_\_\_\_\_\_\_\_\_

(Original Civil Jurisdiction)

Writ Petition No\_\_\_\_\_\_\_\_\_. of \_\_\_\_\_\_\_\_\_20 \_\_\_\_\_\_\_\_\_

AA. son of \_\_\_\_\_\_\_\_\_resident of \_\_\_\_\_\_\_\_\_ Petitioner.

Versus

1. State of \_\_\_\_\_\_\_\_\_

2. BB, Inspector-General of Police \_\_\_\_\_\_\_\_\_

3. CC., Inspector of Police \_\_\_\_\_\_\_\_\_ Respondents.

Petition under Article 226 of the Constitution

for the issue of a writ of prohibition.

To

The Hon’ble the Chief Justice and his companion Judges of the Hon’ble High Court.

The abovenamed Petitioner begs to submit as under :

1. That he was appointed a Sub-Inspector of Police in the State of \_\_\_\_\_\_\_\_\_on \_\_\_\_\_\_\_\_\_

2. That he served the State in various capacities, to wit as \_\_\_\_\_\_\_\_\_. in \_\_\_\_\_\_\_\_\_at \_\_\_\_\_\_\_\_\_and as \_\_\_\_\_\_\_\_\_in \_\_\_\_\_\_\_\_\_at\_\_\_\_\_\_\_\_\_

3. That while he was stationed at \_\_\_\_\_\_\_\_\_and serving as \_\_\_\_\_\_\_\_\_, he was served with a charge-sheet dated \_\_\_\_\_\_\_\_\_a copy whereof is filed herewith.

4. That enquiry into the said charges was made by Respondent No. 3 from \_\_\_\_\_\_\_\_\_to \_\_\_\_\_\_\_\_\_who submitted a report dated \_\_\_\_\_\_\_\_\_to Respondent No. 2 finding the charges mentioned in the charge-sheet above-mentioned to be proved.

5. That according to Rule \_\_\_\_\_\_\_\_\_of \_\_\_\_\_\_\_\_\_the charges aforementioned could not be enquired into except by an officer of the rank of Superintendent of Police of \_\_\_\_\_\_\_\_\_Division or with the approval of Respondent No. 2 of another Division in the State of \_\_\_\_\_\_\_\_\_

6. That on \_\_\_\_\_\_\_\_\_the Petitioner received a notice from Respondent No. 2 to show cause why he should not be dismissed from service.

7. That the aforesaid enquiry was illegal and ultra vires. Respondent No. 2 had no jurisdiction to take into consideration the said enquiry or pass any order on the basis thereof. The so-called inquiry was held by a person not duly authorised to do so.

8. The holding of a departmental inquiry by a Superintendent of Police is a condition precedent, a fact which must exist before Respondent No. 2 can assume jurisdiction or authority for the purpose of passing the final order of dismissal under Rule \_\_\_\_\_\_\_\_\_of \_\_\_\_\_\_\_\_\_ against the Petitioner.

It is therefore, most respectfully prayed that a writ direction or order in the nature of prohibition be issued to the respondents prohibiting them from proceeding further with the disciplinary proceedings on the basis of the enquiry report of Respondent No. 3.

Dated \_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_ (Petitioner)

(Advocate for the Petitioner.)