

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.17435 of 2015

T.Gokuldoss

... Petitioner

Versus

1. The Director General of Police
Tamil Nadu Police Head Quarters
Mylapore
Chennai - 600 004
2. The Commissioner of Police
Vepery, Chennai - 600 007
3. The Addl. Commissioner of Police (Traffic)
Poonamallee High Road
Vepery
Chennai - 600 007
4. The Joint Commissioner of Police (West Zone)
Greater Chennai Police
Ambattur
Chennai - 600 058

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the Commissioner of Police, Chennai, the 2nd respondent herein to dispose of the petitioner's representation dated 19.06.2014 and extend all pensionary benefits and other benefits.

For Petitioner : Mr.R.Sampathkumar

For Respondent : Mrs.M.E.Raniselvam
Addl. Govt. Pleader

O R D E R

The petitioner seeks for a direction to the second respondent to dispose of the petitioner's representation dated 19.06.2014 and extend all pensionary benefits and other benefits.

2.The petitioner joined as a Police Constable in 1974. While he was working as a Sub-Inspector of Police, a criminal case was registered against him. In view of the same, he was placed under suspension on 09.12.2010. When he reached the age of superannuation on 30.06.2011, he was not allowed to retire as the criminal case was pending against him. Now he is acquitted by the learned Chief Judicial Magistrate, Chengelpet in the criminal case in S.C.No.6 of 2008 on 09.04.2014. The petitioner made a representation dated 19.06.2014 to all the respondents to give all terminal benefits and other benefits with interest in view of the acquittal in criminal case.

3. The learned counsel for the petitioner relies on Rule 45-A of the Tamil Nadu Pension Rules and the judgment of a Division Bench of this Court in GOVT. OF TAMIL NADU REP. BY THE SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT, CHENNAI AND ANOTHER VS. M.DEIVASIGAMANI reported in 2009 (3) MLJ 1.

4. In view of the limited prayer made for disposal of his representation, the second respondent is directed to consider and pass orders on the representation of the petitioner dated 19.06.2014 taking into account his acquittal in the criminal case and also Rule 45-A of the Tamil Nadu Pension Rules and the judgment referred to above within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

gpa

To

1. The Director General of Police
Tamil Nadu Police Head Quarters
Mylapore
Chennai - 600 004

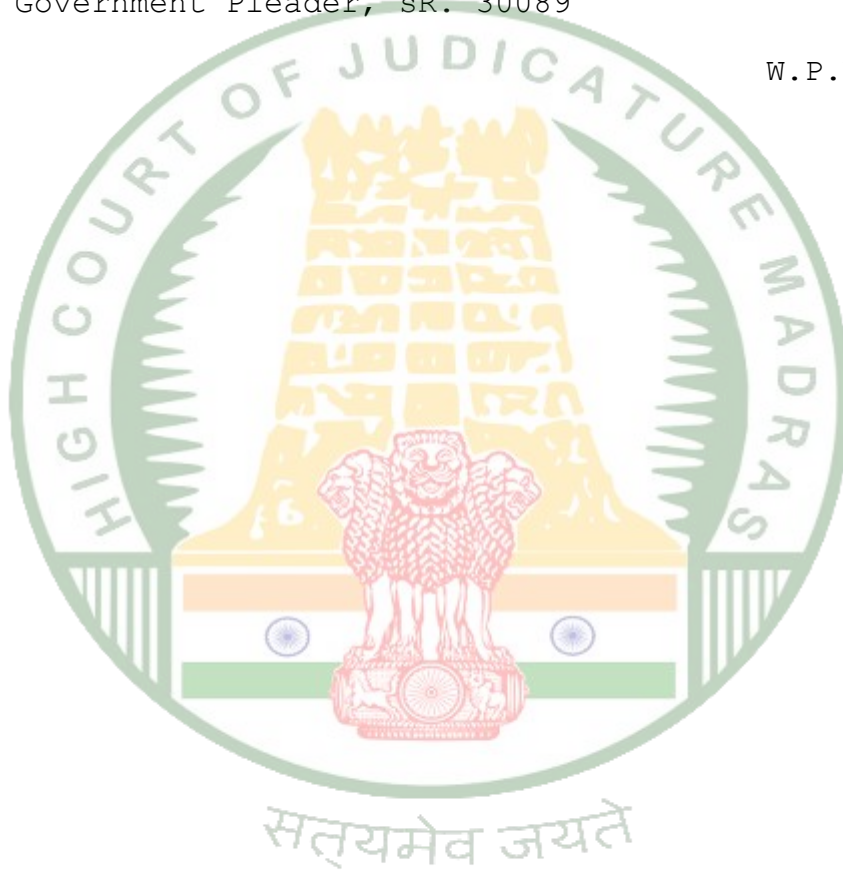
2. The Commissioner of Police
Vepery, Chennai - 600 007

3. The Addl. Commissioner of Police (Traffic)
Poonamallee High Road
Vepery
Chennai - 600 007
4. The Joint Commissioner of Police (West Zone)
Greater Chennai Police
Ambattur
Chennai - 600 058

1 cc to Mr.Dr.R.Sampathkumar, Sr. 30033
1 cc to Government Pleader, sR. 30089

W.P.No.17435 of 2015

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