

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.18048 of 2015

A.Ibrahim Sheriff

... Petitioner

vs.

1.The Principal Secretary to Government,
Home (Police-IV A) Department,
Secretariat, Chennai - 600 009.

2.The Director General of Police,
Tamil Nadu, Chennai - 600 004.

3.The Deputy Inspector General of Police,
Villupuram Range, Villupuram.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus, directing the first respondent herein to pass orders on the proposal sent by the third respondent herein in his C.No.B2/5250/1998 dated 09.12.2014 to settle the petitioner's suspension period from 04.06.1992 to 23.12.1997 and out of employment period from 24.12.1997 to 31.05.2005 as duty for all purposes and consequently direct the first respondent herein to settle the petitioner's retirement benefits with all monetary benefits as per Rules.

For Petitioner : Mr.Ravi Shanmugam

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

The petitioner was removed from service based on conviction. However, the Apex Court set aside the conviction vide judgment dated 15.02.2011 in Criminal Appeal Nos.1510 and 1512 of 2003. Pursuant to the judgment of the Apex Court, the Government instructed the Director General of Police to reinstate the petitioner, by an order dated 21.11.2014 and allow him to retire from service with effect from 31.05.2005.

2. While so, the Deputy Inspector General of Police, Villupuram Range, the third respondent, has sent a proposal, dated 09.12.2014, to the first respondent to treat the period of suspension from 04.06.1992 to 23.12.1997 and out of employment period from 24.12.1997 to 31.05.2005 as duty for all purposes. However, no order is passed on the said proposal and due to this, the petitioner has also not been paid retirement benefits. Hence, the present writ petition.

3. In view of the narrow prayer made, the writ petition is disposed of by directing the first respondent to pass orders on the proposal sent by the third respondent, dated 09.12.2014 in the light of the judgment of the Apex Court referred to above, within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

svki

To

- 1.The Principal Secretary to Government,
Home (Police-IV A) Department,
Secretariat, Chennai - 600 009.
- 2.The Director General of Police,
Tamil Nadu, Chennai - 600 004.
- 3.The Deputy Inspector General of Police,
Villupuram Range, Villupuram.

+1cc to M/s.Ravi Shanmugam, Advocate, S.R.No.30761
+1cc to the Government Pleader, S.R.No.31291

ALA(CO)
CA(29/06/2015)

W.P.No.18048 of 2015