

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.19193 of 2015

A.Jayamani HC (1389) 43643
F6 Museum Police Station
Chennai 600 008.

... Petitioner

vs.

1. The Director General of Police
Police Head Quarters
Mylapore Chennai 600 004.
2. The Superintendent of Police
Special Investigation Team CBCID
No.293 M.K.N. Road
Alandhur Chennai 600 016.
3. The Addl. Director General of Police
O/o.the Addl. Director General of Police Crime
Chennai.
4. The Commissioner of Police
Greater Chennai
Vepery Chennai 600 007.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus directing the the Director General of Police the 1st Respondent herein to dispose of his representation dt.12.04.2015.

For Petitioner : Dr.R.Sampathkumar

For Respondents : Mrs.M.E.Raniselvam,
Additional Government Pleader

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O R D E R

Mrs.M.E.Raniselvam, learned Additional Government Pleader takes notice for the respondents.

2.The petitioner joined as a Grade II Police Constable in the year 1984. A charge memo in P.R.No.6/2005, was issued under Rule 3 (b) of the Tamil Nadu Police Subordinate Services (Discipline &

Appeal) Rules, 1955. The charge was that, the petitioner involved in leakage of question paper in the examination to the recruitment of Grade II Police Constables conducted by the Tamil Nadu Uniform Services Recruitment Board (TNUSRB) on 27.03.2005.

3. In view of the same, the petitioner was placed under suspension by an order dated 11.08.2005. Though, the enquiry is still pending and no final order is passed on the same, the petitioner was restored to duty by an order dated 15.09.2010. The grievance of the petitioner is that, after restoring him on duty, on 15.09.2010, he was not granted periodical increment. In this regard, he made a representation dated 12.04.2015 to the first respondent to grant increment for the service rendered by him, on restoration of duty by revoking the suspension order.

4. It is not the claim of the petitioner to regularize the period of suspension prior to 15.09.2010, as the disciplinary proceeding is still pending. But, his claim is only to give periodical increment for the service rendered by him after 15.09.2010.

5. In my view, the petitioner is entitled to get the periodical increment for the service rendered by him from 15.09.2010 onwards. Hence, a direction is issued to the first respondent to consider the representation of the petitioner dated 12.04.2015, in the light of the facts as stated above and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order, granting annual increments.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jbm

To

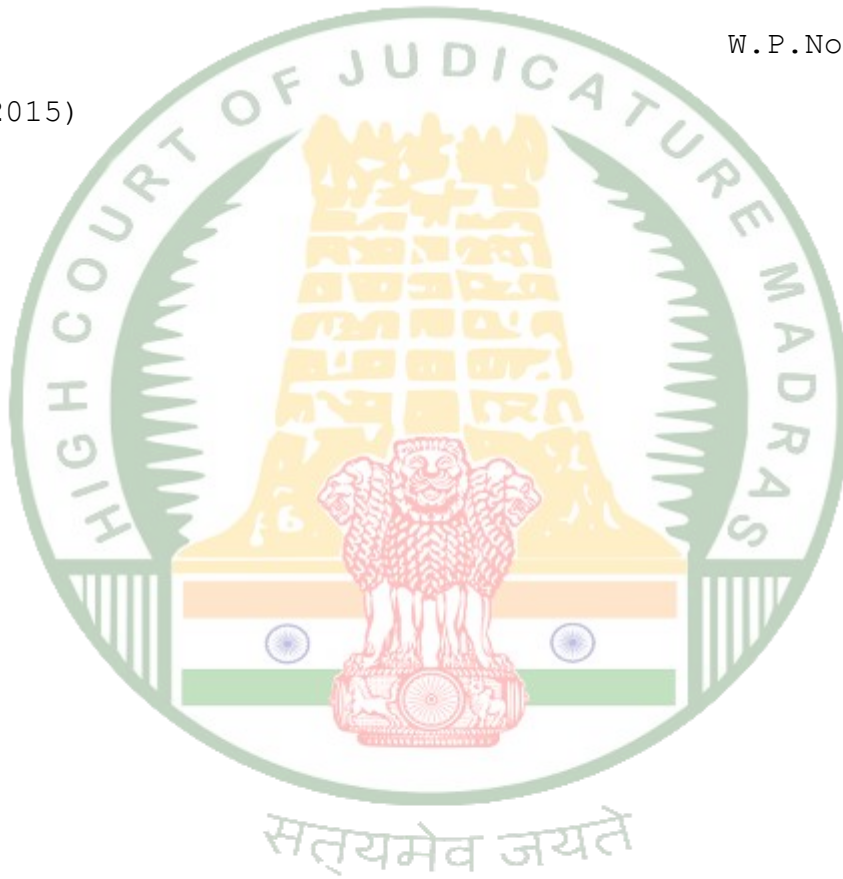
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+1cc to the Government Pleader, S.R.No.32934

EV(CO)
CA(16/07/2015)

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