

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2016

CORAM:

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.Nos.26371, 26372 of 2011
and W.P.No.22610 of 2011

T.A.J.Lamesh Petitioner in W.P.26371 of 2011
Andal ... Petitioner in W.P.26372 of 2011
Lloyd Chandra Petitioner in W.P.22610 of 2011

Versus

1. Principal Secretary to Government
Home Department, Fort St.George,
Chennai 600 009.
2. Musalma
3. The Registrar,
State Human Rights Commission
No.143, P.S.Kumarasamy Raja Salai,
Greenways Road,
Chennai 600 028. Respondents in all W.Ps.

Petitions filed under Article 226 of the Constitution of India praying for the issue of a writ of Certiorari, calling for the records relating to the 3rd respondent's order made in S.H.R.C.No.8746 of 2007 dated 25.07.2011, to quash the same.

For Petitioner : Mr.S.R.Sundar
in W.Ps.26371 and 26372 of 2011

For Petitioner : Mr.L.Chandrakumar
in W.P.22610 of 2011

For Respondents : Mr.V.R.Kamalanathan AGP for R.1
Mr.S.Sairaman for R.2
Mr.P.Srinivas for R.3

O R D E R

(The Order of the Court was made by The Hon'ble The Chief Justice)

It is not disputed before us that the disciplinary proceedings stand concluded with infliction of punishment in W.P.No.22610 of 2011, while the other two writ petitions are still pending. The petitioner in W.P.No.22610 of 2011 has also retired.

2. After some arguments, learned counsel for the petitioners do not seek to assail the order, but with the caveat on behalf of the two petitioners where disciplinary proceedings are pending that their acceptance of the order should not be held against them in the disciplinary proceedings. We find this is a fair suggestion and ordered accordingly.

3. In view of the amount directed to be paid as compensation having already been paid by the State Government, the only issue is of the petitioners re-compensating the Government. One of the petitioners has retired and the other petitioners also join and request that the amount may be permitted to be paid in instalments. In case the amount has not been recovered from the petitioner in W.P.No.22610 of 2011, the amount may be paid at Rs.10,000/- per month commencing from the month of April, 2016, as the total amount is Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only). In respect of others, the amount of Rs.75,000/- (Rupees Seventy Five Thousand only) be paid at Rs.7500/- of ten equal monthly instalments and an amount of Rs.50,000/- (Rupees Fifty Thousand only) be paid at Rs.5000/- in ten equal monthly instalments, commencing from April, 2016.

4. The writ petitions are accordingly closed. Consequently connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ksr

To

1. The Principal Secretary to Government,
Home Department, Fort St.George,
Chennai 600 009.
2. The Registrar,
State Human Rights Commission
No.143, P.S.Kumarasamy Raja Salai,
Greenways Road, Chennai 600 028.

+1cc to Mr.S.Sairaman, Advocate, S.R.No.16875

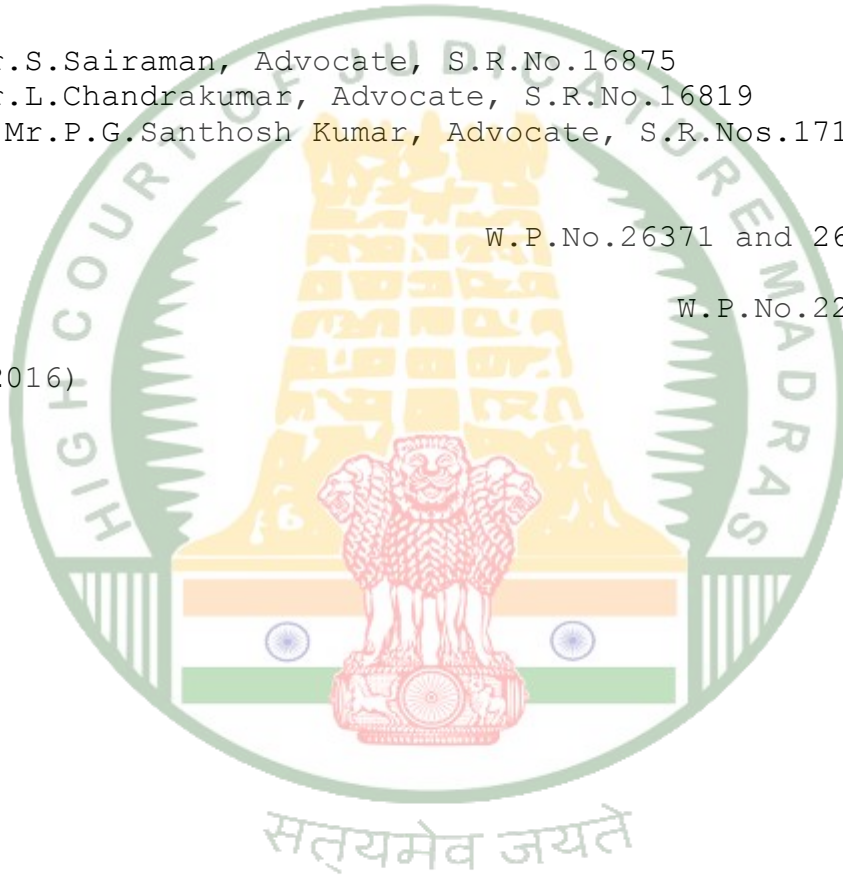
+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.16819

+2cc's to Mr.P.G.Santhosh Kumar, Advocate, S.R.Nos.17138 & 17140

W.P.No.26371 and 26372 of 2011
and

W.P.No.22610 of 2011

SR(CO)
CA(29/03/2016)



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