

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2016

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.3606 of 2016
and
W.M.P.No.2970 of 2016

P.Shanmugam Petitioner

Vs.

1.The Secretary to Government,
Home (Police-12) Department,
Government of Tamil Nadu,
Secretariat, Chennai-9.

2.The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai-600 009.

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 24.08.2015 and pass appropriate orders within the time as stipulated by this Court.

For Petitioner : Mr.W.M.Abdul Majeed

For Respondent : Mr.K.Rajendraprasad,
Government Advocate

ORDER

This Writ Petition has been filed by the petitioner seeking a Mandamus, directing the first respondent to consider his representation dated 24.08.2015, in the light of the proposal sent by the second respondent/Director General of Police, Chennai in Rc.No.202922/Pension.3/2015 dated 17.08.2015. Since no orders has been passed by the first respondent, the present writ petition has been filed.

2.Heard Mr.W.M.Abdul Majeed, learned counsel for the Petitioner. Mr.K.Rajendraprasad, learned Government Advocate (Forest) takes notice on behalf of the respondents.

3.The petitioner is an Ex-Serviceman. He was appointed in Tamil Nadu Police Service and joined the service on 01.01.1996. His services were regularised pursuant to the Government Order in G.O.Ms.No.522 Home (Pol.12) Department, dated 24.06.2005. Subsequently, he retired from service on 31.07.2014. But, he was not paid with the pension as he was served only for a period of 9 years and one month, after his absorption in Police Service. Therefore, he submitted a representation dated 20.12.2014, requesting the second respondent to consider his service from 01.01.1996 along with the subsequent service for the purpose of computing total period for pension. As there was no progress for his representation, he has come to this Court by way of filing a writ petition in W.P.No.2510 of 2015 and considering his grievance, this Court by order dated 16.03.2015, directed the second respondent herein to consider and dispose of the petitioner's representation dated 20.12.2014 on merits and in accordance with law within a reasonable time. Subsequently, pursuant to the aforesaid order, the Director General of Police has informed the petitioner that his request to reckon his service from 01.01.1996 for terminal benefits has been taken up to the Government for necessary orders and he is awaiting orders and as and when he receives the order from the Government, the same will be communicated to him. The grievance of the petitioner is that although a proposal has been sent by the Director General of Police to the Government, since no orders has been passed, he made another representation dated 24.08.2015 to the first respondent. As no action is forthcoming, he has come before this Court.

4.Considering the above said facts, this Court directs the first respondent to dispose of the petitioner's representation dated 24.08.2015 on merits in the light of the proposal given by the Director General of Police, Chennai in Rc.No.202922/Pension.3/2015 dated 17.08.2015, within a period of two months from the date of receipt of a copy of this order.

5.The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is also closed. No costs.

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Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

DP

To

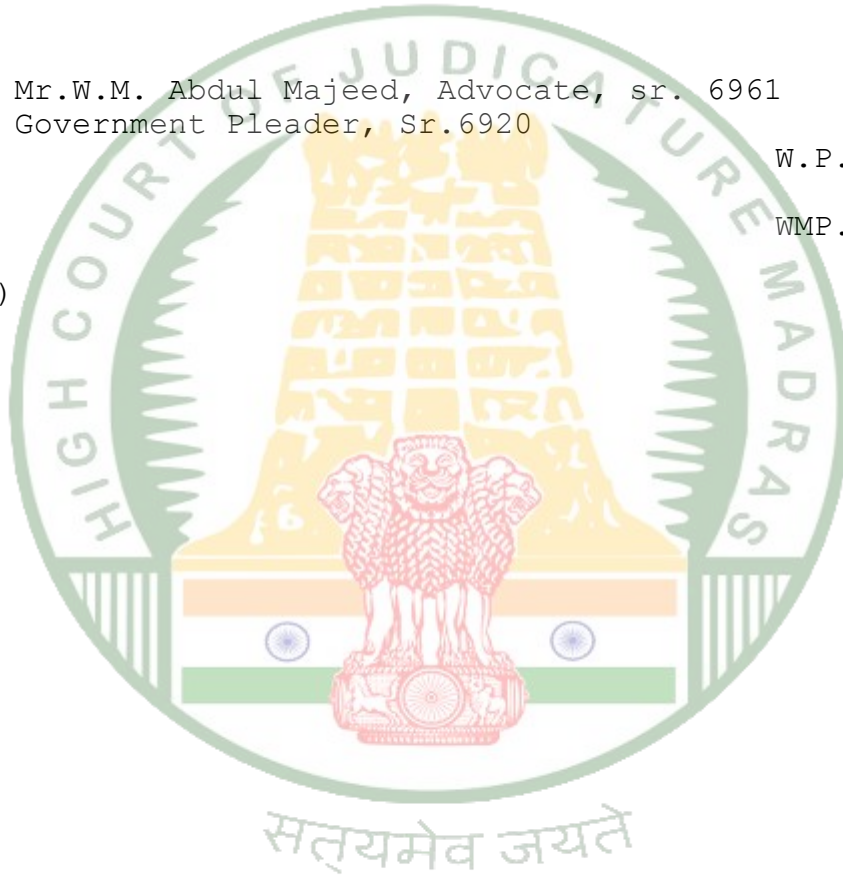
1.The Secretary to Government,
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2.The Director General of Police,
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1 cc to Mr.W.M. Abdul Majeed, Advocate, sr. 6961
1 cc to Government Pleader, Sr.6920

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