

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.12.2017

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.31268 of 2017

R.Paul Pandiaraj

... Petitioner

Versus

The Director General of Police,
Mylapore, Chennai.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to consider the petitioner representation dated 27.07.2017.

For Petitioner : Mr.P.G.Santhosh Kumar

For Respondent : Mr.E.R.A.Premnath,
Government Advocate

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondent herein to consider the petitioner's representation dated 27.07.2017.

2. The case of the petitioner is that he was appointed as a Constable in Tamil Nadu Police Force on 05.12.1980. While in service, on 21.11.1997, a disciplinary action was initiated against him by the department for certain administrative reasons and a show cause notice was also served on him. Further, according to the petitioner, since he was undergoing treatment, on 27.11.1997 and 02.01.1998, he could not attend the oral investigation, though he received a memo for the same. Therefore, due to non-co-operation to the disciplinary enquiry, he was dismissed from service. The petitioner preferred a Review against the said dismissal order dated 10.12.1999. While so, since the petitioner is struggling very much for his livelihood and other family members, he gave a representation dated 27.07.2017 to the respondent seeking his retirement benefits and pension. But there is no reply from the

respondent. Hence, the petitioner has filed the present Writ Petition.

3. Heard the learned Counsel for the petitioner and the learned Government Advocate appearing for the respondent.

4. Though the petitioner has filed the present Writ Petition seeking a limited prayer to give a direction to consider his representation dated 27.07.2017 by the respondent, the same could not be issued because when the petitioner has been prosecuted departmentally and awarded a punishment of dismissal from service on 10.12.1999 itself, after keeping quite for a period of 21 years, the petitioner has given a representation seeking retiral benefits recently on 27.07.2017. It is not known how the petitioner is entitled to claim the retiral benefits after his dismissal on 10.12.1999.

5. In the result, the Writ Petition fails and the same is accordingly dismissed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True copy//

Sub Assistant Registrar

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To

The Director General of Police,
Mylapore, Chennai.

+1cc to Mr.P.G.Santhosh Kumar, Advocate SR.No.86640

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GN(19/12/2017)

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