

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T. RAJA

W.P. No.10825 of 2017 and
W.M.P. Nos.11760 to 11762 of 2017

N.Asokan

... Petitioner

Vs.

1.State of Tamil Nadu,
rep. by its Secretary,
Home Department,
Fort St. George,
Chennai – 600 009.

2.Additional Directorate General of Police cum
Inspector General of Police,
Egmore, Chennai 600 008.

3.The Principal Accountant General (A&D),
Tamil Nadu, Chennai – 600 018.

4.The Sub Treasury Officer,
Sub Treasury, Tambaram.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified mandamus to call for the records of the impugned charge memo vide No.34295/CSI/2016-2 dated 08.02.2017 issued by the second respondent to the petitioner, quash the same and direct the respondents to pay the commuted value of pension, arrears of pension with interest from 30.09.2016 and future pension and all other retirement benefits the petitioner is entitled for.

For Petitioner	..	Mr.D.Prabhu Mukunth
For Respondents	..	Mr.T.M.Pappiah, Special Government Pleader for R1, 2 and 4

ORDER

The petitioner has come to this Court challenging the impugned charge memo vide No.34295/CSI/2016-2 dated 08.02.2017 issued by the second respondent and seeking a direction to the respondents to pay the commuted value of pension, arrears of pension with interest from 30.09.2016 and future pension and all other retirement benefits to him.

2.It appears that the petitioner, on receipt of the said charge memo, has submitted his explanation denying all the charges. It is the case of the petitioner that although the petitioner was permitted to retire from service by order dated 30.09.2016 passed by the Additional Director General of Police and Inspector General of Prisons, Tamil Nadu, Chennai-8, the respondents have not come forward to pay the pension/provisional pension till date.

3.Although the petitioner has submitted his explanation, the same has to be looked into by the disciplinary authority. Therefore, this Court is not inclined to interfere with the charge memo. Secondly when the explanation offered by

the petitioner is pending consideration, this petition should not have been filed. Accordingly, this writ petition is dismissed. No costs. Consequently, connected W.M.Ps are closed.

4.The respondents are directed to pay the pension/provisional pension as expeditiously as possible.

27.04.2017

Speaking/Non-speaking order
Index: Yes/No
vga

To

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T. RAJA, J.

vga

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