

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.08.2017
CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P. No. 22162 of 2017

C.R. Rajasekar.

..Petitioner

Vs.

1.The Principal Secretary to Government,
Home (SC) Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director General of Police,
Chennai 600 004.

3.The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai 600 007.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to sanction and disburse the retirement and pensionary benefits due to the petitioner consequent to the order of compulsory retirement imposed by the first respondent herein in his proceeding G.O.(2D) No.45 Home (SC) Department dated 24.02.2017, within a time-frame.

For Petitioner : Mr. G. Bala, for
M/s.G.Bala & Daisy
For Respondents : Mr. R.S. Selvam,
Government Advocate.

O R D E R

The relief sought for in this writ petition is for a direction to sanction and disburse the retirement pension benefits consequent to an order of compulsory retirement imposed by the first respondent herein in his proceeding G.O.(2D) No.45 Home (SC) Department dated 24.02.2017, within a time frame as deems fit.

2.The learned counsel appearing for the writ petitioner has contended that the writ petitioner was holding the post of Additional Deputy Commissioner of Police. On account of certain serious allegations he was issued with a charge memo and after the conclusion of the departmental enquiry, an order of punishment of compulsory retirement was imposed on 24.02.2017. Pursuant to the order of compulsory retirement on 24.02.2017, the writ petitioner made a representation to the third respondent on 07.08.2017 with a request to settle his pension and all other terminal benefits. However, no action has taken by the respondents in this regard.

3.The learned counsel further submitted that the writ petitioner has not challenged the order of punishment of compulsory retirement and has chosen to accept the terminal and retirement benefits in accordance with rules.

4.Thus, the third respondent is directed to consider the representation submitted by the writ petitioner on 07.08.2017 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. This writ petition stands disposed of, however, no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rpl
To

1.The Principal Secretary to Government,
Home (SC) Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director General of Police,
Chennai 600 004.

3.The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai 600 007.

+1 cc to Mr.G.Bala & Daisy Advocate sr 60156
+1 cc to the Government Pleader High Court Madras sr 60567

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