



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.06.2017
CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

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W.P.(MD).No.7711 of 2016
and
W.M.P (MD).No.6385 and 6386 of 2016

T.Manoharan

.. Petitioner

Vs.

1.The Director General of Police
Mylapore,
Chennai - 600 004.

2.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the second respondent in connection with the impugned order of suspension passed by him in C.No.C1/4781/2007, R.O.O.N.208/2007, dated 04.04.2007 and the consequential impugned order of rejection for revocation of suspension passed by the second respondent in proceedings in C.No.C1/4781/2007, dated 04.01.2016 and quash both as illegal and arbitrary in the light of the judgment passed by the Hon'ble Apex Court in Ajaykumar Choudhary's case, as well as on the letter of the Principal Secretary issued in Letter No.13519/N/2015-1, dated 23.07.2015 and consequently direct the respondent to reinstate the petitioner in service with all monetary and service benefits within the time limit that may be stipulated by this Court.

For Petitioner : Mr. G. Thalaimutharasu
For Respondents : Mr. N.S.Karthikeyan
Additional Government Pleader

O R D E R

This Writ Petition has been filed by the petitioner, challenging the order of the second respondent, suspending the petitioner from service, vide proceedings dated 04.04.2007 and the subsequent order, rejecting the representation submitted by the petitioner for revocation of suspension, passed by the second respondent, dated 04.01.2016

<https://hcservices.court.gov.in/hcservices/> G. Thalaimutharasu, learned counsel appearing for the petitioner and Mr. N.S.Karthikeyan, learned Additional Government Pleader appearing for the respondents.



3.The petitioner has filed this Writ Petition only on the ground that the petitioner was suspended in the year 2007 and that he is in prolonged suspension, contrary to several decisions in similar cases by the Hon'ble Supreme Court and this Court.

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4.The learned Additional Government Pleader submitted that the petitioner retired from service after attaining the age of superannuation on 30.04.2017. Since, a Vigilance and Anti-corruption case is pending against the petitioner before Chief Judicial Magistrate, Tuticorin, an order was passed by the Deputy Inspector-General of Police, Madurai Range, in-charge Tirunelveli Range on 24.02.2017, not to permit the petitioner to retire from service on reaching the date of superannuation.

5.Having regard to the fact that the petitioner has attained the age of superannuation, question of reinstatement or revocation of suspension does not arise and this Writ Petition has become infructuous.

Hence, this Writ Petition is dismissed as infructuous. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1.The Director General of Police
Mylapore,
Chennai - 600 004.

2.The Deputy Inspector General of Police,
Tirunelveli Range, Tirunelveli.

+One cc to Mr.G.Thalaimutharasu, Advocate, SR.No.60012

+One cc to The Special Government Pleader, SR.No.60001

KM/GSP/MM

RL/5C/2P/KP/SAR1/7/7/2017

ORDER MADE IN

W.P. (MD) .No.7711 of 2016

and

W.M.P (MD) .No.6385 and 6386 of 2016