



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2018

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THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.33307 of 2018

C.Subramanian

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Petitioner

Vs

- 1.The Secretary to Government,
Home (Police-VI) Department
Fort St.George,Secretariat,
Chennai 600 009.
- 2.The Director General of Police
Dr.Radhakrishnan Road, Mylapore
Chennai 600 004.

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Respondents

For Petitioner	:	M/s.S.Sivakumar
For Respondent	:	Mr.R.S.Selvam, Government Advocate

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first respondent to pass appropriate order on proposal sent by the 2nd respondent for inclusion of the service rendered by the petitioner in Central Reserve Police Force for pension and other service benefits in the light of G.O.Ms.No.322 dated 27.04.2005 within a reasonable time.

O R D E R

The petitioner served the Central Reserve Police Force from 09.04.1991 to 13.04.1997. He applied for Grade II police constable, after getting prior permission and NOC from the C.R.P.F., and came out successful. He was appointed as Grade II Police Constable on 16.04.1997. The petitioner's claim is that as per Rule 12 of the Tamil Nadu Pension Rules, he is entitled to count the past service rendered by him in C.R.P.F. Hence, the petitioner made a request to the respondents through proper channel and the Q-Branch C.I.D, Superintendent also recommended and forwrded the same to the second respondent. The second respondent has considered the matter in detail and forwarded the proposal to the first respondent, and the same has been returned with queries. The second respondent again sent the proposal on



04.01.2018, recommending the petitioner's claim. The said proposal has not been considered and hence the petitioner has filed the present writ petition. The petitioner claims that a similarly placed person also has made a similar request and the same has been considered by the first respondent, vide G.O.Ms.No.322 dated 27.04.2005 and hence seeks the intervention of this Court for appropriate relief.

2. Mr.A.N.Thambidurai, learned Special Government Pleader takes notice on behalf of the respondents.

3. Considering the facts and circumstances of the case, the respondents are directed to consider the proposal sent by the second respondent for inclusion of the service rendered by the petitioner in C.R.P.F., for pension and other service benefits in the light of G.O.(Ms) No.322 dated 27.04.2005, and to pass appropriate orders thereon, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

kst

To

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

2.The Director General of Police
Dr.Radhakrishnan Road, Mylapore
Chennai 600 004.

+1 CC to Mr.S. Sivakumar, advocate sr 87365.
+1 CC to Govt. Pleader sr 87882.

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GJ(CO)
SP(07/01/2019)