

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P. No. 28551 of 2019

C.D. Chakaravarthy

... Petitioner

Vs.

1. The Commissioner of Police,
Office of the Greater Chennai,
Commissionerate, Veppery,
Chennai - 7.
2. The Superintendent of Police,
Special Branch,
Criminal Investigation Department (Security),
Chennai.
3. The Executive Engineer,
O/o. The Executive Engineer,
Fishing Harbour Project Division,
Tanjore, Tanjore District.
4. The Executive Engineer,
O/o. The Executive Engineer,
Fishing Harbour Project Division,
Srikali, Nagapattinam District.
5. The Executive Engineer,
O/o. The Executive Engineer,
Fishing Harbour Project Division,
Bhavani Sagar, Madurai District.
6. The Director of Fisheries,
Teynampet, Chennai.
7. The Superintendent of Police,
Sivagangai District, Sivangangai.

8. The Office of the Accountant General (A & E),
Tamilnadu, No. 361,
Anna Salai, Teynampet,
Chennai - 18.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent herein to instruct the Second Respondent to send the Service register of the Petitioner to the Seventh Respondent without further delay.

For Petitioner : Mr. P. Gurunathan

For Respondents : Mr. A. N. Thambi Durai
Special Government Pleader

ORDER

The Petitioner has filed this writ petition, seeking for issuance of a Writ of Mandamus, to direct the First Respondent herein to instruct the Second Respondent to send the Service register of the Petitioner to the Seventh Respondent without further delay.

2. Heard Mr. P. Gurunathan, learned counsel appearing for the petitioner and Mr. A. N. Thambi Durai, learned Special Government Pleader appearing for the respondents.

3. The case of the Petitioner is that the Petitioner is retired from service as Deputy Superintendent of Police in the office of the Seventh Respondent on 30.06.2019 and praying to join the Police Department, he served as a typist in the office of the Fourth Respondent and after a short span of period on 05.10.1987, he was relieved from the post on typist vide proceedings of the Third Respondent dated 05.10.1987 in order to enable the Petitioner to join the Police Department as a Sub-Inspector of Police.

4. According to the Petitioner, while he was serving as Typist during the period from 03.10.1983 to 26.09.1987 in the Fisheries Department, his services were regularized on 28.09.1990 by the Sixth Respondent. Thereafter, the Petitioner has been making representations to the Sixth Respondent to remove the pay anomalies and pay increments due and payable to the Petitioner during the period when he worked as Typist from 03.10.1983 to 26.09.1987.

5. The grievance of the Petitioner is that till date he has not been paid any monetary benefits. According to the Petitioner, after joining himself in the Police Department his service register pertaining to the service particulars rendered by the Petitioner in the Fisheries Department was handed over to the Second Respondent by the Third Respondent on 20.01.1992 and though his service was completed by superannuation, his service register has not been placed before the Seventh Respondent by the Second Respondent and due to the same the pensionary benefits have been minimized since his service in the Fisheries Department as Typist for the above said period has not been included in the service register. Hence the present writ petition.

6. The learned counsel appearing for the Petitioner would submit that during the pendency of the writ petition, the Sixth Respondent was directed to appear before this Court and pursuant to the same, the Sixth Respondent appeared before this Court and informed that he would trace out the service particulars of the Petitioner rendered in the Fisheries Department and he agreed to forward the service particulars to the Second Respondent through Third Respondent. However, the learned counsel would submit that so far no service particulars have been sent by the Second Respondent to the Seventh Respondent and therefore he seeks appropriate direction to the Second Respondent.

7. Considering the facts and circumstances and in view of the fact that the service particulars of the Petitioner rendered in the Fisheries Department have been traced out, the Second Respondent is directed to send the service particulars of the Petitioner expeditiously preferably within a period of two weeks from the date of receipt of a copy of this order to the Seventh Respondent and on such receipt of the service particulars, the Seventh Respondent is directed to pass appropriate orders in regard to the pay anomalies and pension payable to the Petitioner within a period two weeks thereafter.

8. With the above direction, this Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

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To

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Chennai - 7.
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8. The Office of the Accountant General (A & E),
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+1cc to Mr. P. Gurunathan, Advocate sr.92260
+1cc to Government Pleader SR.NO. 91980

W.P. No. 28551 of 2019

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