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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2019

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32212 of 2019

S.Mahalingam

... Petitioner

Vs.

- 1.The Director General of Police,
Directorate General, CRPF,
CGO Complex, Lodi Road,
New Delhi - 110 003.
- 2.The Special Director General of Police,
South Zone Hqr., GC, CRPF,
Chandrankutta,
Kesavagiri Post,
Hyderabad - 500 005.
- 3.The Inspector General of Police,
Kerala and Karnataka Sector,
Group Centre Campus, CRPF,
Yelahanka,
Bengaluru - 560 064.
- 4.The Pay and Account Officer,
Central Pension Accounting Office,
Min. of Finance, Govt. of India,
Trikoort II Complex,
Bhikaji Cama Place, R.K.Puram,
New Delhi - 110 006.
- 5.The Director of Accounts
PAO, CRPF
No.14, PSP -2, Rohini Sector -23,
New Delhi - 110 085.
- 6.The Deputy Inspector General of Police,
Range Hqr., CRPF,
Yelahanka
Bengaluru - 560 064.
- 7.The Deputy Inspector General of Police
Group Centre, CRPF,
Yelahanka,
Bengaluru - 560 064.



8.The Commandant
77 Battalion, CRPF,
Karaianchavadi
Chennai - 600 086.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 5th respondent to consider the petitioner's representation dated 05.11.2019 and grant the provisional pension to the petitioner as sanctioned by the 7th respondent vide his sanction order No.P.III.6/2018-77 Bn-Pension dated 09.09.2019 and a proposal has also been sent by him on the same date as early as possible within the time that may be fixed by the Hon'ble High Court.

For Petitioner : Ms.R.Meenakshi
For Respondents : Mr.K.Ramanamoorthy
CGC

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the fifth respondent to consider the petitioner's representation dated 05.11.2019 and to grant the provisional pension to the petitioner as sanctioned by the seventh respondent vide his sanction order No.P.III.6/2018-77 Bn-Pension dated 09.09.2019 and a proposal has also been sent by him on the same date as early as possible within a timeframe.

2.Heard the arguments advanced on either side.

3.The case of the petitioner is that the petitioner joined the Central Reserve Police Force as Constable (General Duty) on 18.10.1980 and was posted in the 65 Bn, CRPF, Arunachal Pradesh and retired on 31.05.2018 on reaching the age of superannuation. The petitioners retirement dues are held up by the Department on the ground of departmental enquiry. However, the seventh respondent vide order dated 09.09.2019 sanctioned provisional pension for the petitioner. Hence, the petitioner made application dated 05.11.2019 to the fifth respondent for provisional pension and since the same has not yet been considered, the petitioner has filed this writ petition.

4.The learned counsel appearing for the respondents, on instructions, would submit that the respondents agreed to consider the representation of the petitioner within a period of six weeks from the date of receipt of a copy of this order, for which, the learned counsel appearing for the petitioner also agree.

5.In view of the above, I am inclined to issue direction to



the respondents to consider the petitioner's representation dated 05.11.2019 and implement the sanction order dt. 9.9.2019, on merits and in accordance with law and to pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

6.The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Director General of Police,
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CGO Complex, Lodi Road,
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- 2.The Special Director General of Police,
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Group Centre, CRPF,
Yelahanka,
Bengaluru - 560 064.

8.The Commandant
77 Battalion, CRPF,
Karaianchavadi
Chennai - 600 086.

+1cc to Mr.R.Meenakshi, Advocate, S.R.No. 98861
+1cc to Mr.K.Ramamoorthy, Advocate, S.R.No. 99332

W.P.No.32212 of 2019

VG I(CO)
GN(10/01/2020)