

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 12.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.8883 of 2019**

WEB COPY

M.Kasamuthu

... Petitioner

Vs.

1.The Additional Director General of Police,
Law and Order,
Chennai - 4.

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

3.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the third respondent to re-fix the petitioner's salary as Rs.5,600 + 235 X 1.86 + 4200 based on his representation, dated 09.12.2018, according to law.

For Petitioner : Mr.S.Muthalraj

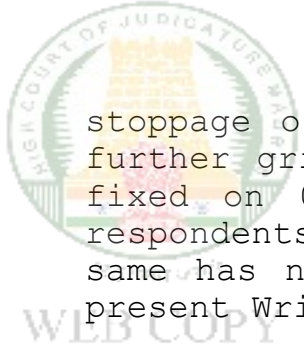
For Respondents : Mrs.J.Padmavathy Devi,
Special Government Pleader.

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the third respondent to re-fix the petitioner's salary as Rs.5,600 + 235 X 1.86 + 4200 based on his representation, dated 09.12.2018, according to law.

2.Heard S.Muthlraj, learned counsel appearing for the petitioner and Mrs.J.Padmavathy Devi, learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.The grievance of the petitioner is that he retired from service on 30.09.2010 as Sub-Inspector of Police, Eppodumventran Police Station. While he was in service, a disciplinary proceeding was initiated and on 20.04.2001, he was imposed with a punishment of



stoppage of increment with cumulative effect for three years. The further grievance of the petitioner is that his salary was wrongly fixed on 03.05.2004 and hence, he sent a representation to the respondents on 09.12.2018 seeking to re-fix his salary. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

4.The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner would be considered by the third respondent on merits.

5.In view of the above submission, this Court, without going into the merits of the case, directs the third respondent to consider the representation of the petitioner, dated 09.12.2018 seeking to re-fix his salary and pass appropriate 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, after affording an opportunity of hearing to the petitioner.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

/ True Copy /

Sub Assistant Registrar(CS)

ps

To

1.The Additional Director General of Police,
Law and Order, Chennai - 4.

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

3.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

+1 CC to M/s.S.MUTHALRAJ, Advocate (SR-60785[F] dated 12/04/2019)

+1 CC to M/s.SPL GP (SR-60996[F] dated 15/04/2019)

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