



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.A. (MD)No.991 of 2019

K.Kamaraj

... Appellant/Petitioner

Vs.

1.The Deputy Inspector General of Police,
Thanjavur Range, Thanjavur.

2.The Superintendent of Police,
Thanjavur District, Thanjavur.

3.S.Baskar

4.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

5.S.Ramadoss

6.The Sub Inspector of Police,
Police Control Room,
District Police Office,
Thanjavur.

..Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letter Patent Act, to set aside the order of the learned Judge passed in W.P.(MD) No.19301 of 2013 in respect of clause (iii) of para 55 of the order dated 30.11.2017 by allowing this writ appeal.

Prayer in W.P.(MD)No.19301 of 2013 :-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus and call for the records relating to the Final order passed by the 2nd respondent in P.R.No.53/2012 dated 13.01.2013 and consequential order passed by the 1st respondent in C.No.B.2/Appeal.7/2013 dated 31.03.2013 and quash the same and consequently reinstate the petitioner as Head Constable with effect from the date of compulsory retirement ie., 13.01.2013 and grant all the service, monetary and other attendant benefits.



For Appellant
For R1 and R2

: Mr.G.Thalaimutharasu
: Mr.A.Muthukaruppan
Additional Government Pleader

JUDGMENT

[Judgment of this Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.G.Thalaimutharasu, learned counsel appearing for the appellant and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the first and second respondents. By consent on either side, this writ appeal is taken up for final disposal

2. This appeal has been filed against the order passed by the learned Single Bench, insofar the restriction of salary for the period, when the petitioner was not in employment, by 50%.

3. We have gone through the order passed by the learned Single Bench and we find that there is no error in the direction issued by the learned Single Bench by restricting the payment of salary for the period, during which the appellant was not in work, to 50%. Hence, we are not inclined to interfere with the order passed by the learned Single Bench. Accordingly, this writ appeal is dismissed. No costs.

Sd/-
Assistant Registrar (AD-I)

/TRUE COPY/

Sub Assistant Registrar

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To

- 1.The Deputy Inspector General of Police,
Thanjavur Range, Thanjavur.
- 2.The Superintendent of Police,
Thanjavur District, Thanjavur.
- 3.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
- 4.The Sub Inspector of Police,
Police Control Room,
District Police Office, Thanjavur.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-91257[F] dated 04/10/2019)

ORDER MADE IN
W.A. (MD) No.991 of 2019
03.10.2019