



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.07.2019
CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

WEB COPY

W.P. (MD) No. 23291 of 2016

P. Maraimalai

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Home (Police 2) Department,
Fort St. George, Secretariat,
Chennai - 600 009.

2. The Director General of Police,
Dr. Radhakirshnan Salai,
Mylapore, Chennai - 600 004.

3. The Additional Director General of Police,
Special Task Force,
Sathyamangalam,
Erode District.

4. The Superintendent of Police,
Special Task Force,
Sathyamangalam,
Erode District.

... Respondents

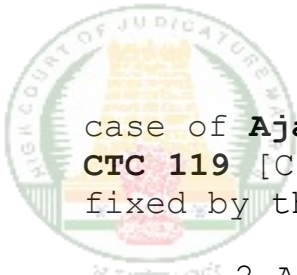
Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 19.11.2016 for the revocation of his suspension and for allowing him to retire from service with consequential monetary benefits in the light of the principle laid down by the Hon'ble Supreme Court in the case of Ajay Kumar Choudhary Vs. Union of India in Civil Appeal No. 1912 of 2015, within the time frame to be fixed by this Court.

For Petitioner : Mr. M. Saravanan

For Respondents : Mr. A. Muthukaruppan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to respondents to consider the petitioner's representation dated 19.11.2016 for the revocation of his suspension and for allowing him to retire from service with consequential monetary benefits in the light of the principle laid down by the Hon'ble Supreme Court in the



case of **Ajay Kumar Choudhary Vs. Union of India** reported in **2015 (3) CTC 119** [Civil Appeal No.1912 of 2015], within the time frame to be fixed by this Court.

2. According to the petitioner, while he was working as Deputy Superintendent of Police, Special Task Force, Sathyamangalam, Erode District, he was placed under suspension on 09.05.2016, as per G.O.(2D)No.265, Home (Police 2) Department, dated 09.05.2016, on the allegation that a criminal case in Crime No.4 of 2015 was registered against him for the offences under Sections 120-B, 465, 468 and 471 IPC and Section 13(2) r/w. 13(1)(d) of the Prevention of Corruption Act, 1988 and he attained the age of superannuation on 31.05.2016 and was not allowed to retire from service. Hence, he made a representation to the respondents to revoke his suspension in the light of the decision of the Hon'ble Apex Court in **Ajay Kumar Choudhary Vs. Union of India** reported in **2015 (3) CTC 119** [Civil Appeal No.1912 of 2015], but no action has been taken so far. Hence, the present Writ Petition.

3. The learned Additional Government Pleader appearing for the respondents submitted that the second respondent would consider the petitioner's representation dated 19.11.2016 and pass appropriate orders, within a time frame to be fixed by this Court.

4. Recording the abovesaid submission made by the learned Additional Government Pleader, this Court directs the second respondent to dispose of the petitioner's representation dated 19.11.2016, on merits and in accordance with law, as expeditiously as possible, preferably, within a period of eight weeks from the date of receipt of a copy of this order. Needless to say that, the petitioner shall forward a copy of the representation along with the copy of this order passed by this Court to the second respondent, to enable him to comply with the directions of this Court, within the stipulated period.

5. This Writ Petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar (CS)



To

1.The Principal Secretary to Government of Tamil Nadu,
Home (Police 2) Department,
Fort St. George, Secretariat,
Chennai - 600 009.

2.The Director General of Police,
Dr.Radhakirshnan Salai,
Mylapore, Chennai - 600 004.

3.The Additional Director General of Police,
Special Task Force,
Sathyamangalam,
Erode District.

4.The Superintendent of Police,
Special Task Force,
Sathyamangalam,
Erode District.

+1cc to Mr.R.SUBRAMANIAN,Advocate, SR.No.76858

+1cc to THE SPL.GOVT.PLEADER SR.NO.76861

smn2
W.P. (MD) No.23291 of 2016
22.07.2019

NA (01.08.2019) 3P : 7C