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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.26653 of 2009
and M.P.No.1 of 2009

P.POUNRAJ
DEPUTY SUPERINTENDENT OF POLICE (RTD.),
NEAR LMS CHURCH, MARTHANDAM,
KANNIYAKUMARI DISTRICT. ...PETITIONER

Vs.

- 1 THE STATE OF TAMILNADU
REP BY ITS SECRETARY TO GOVT.,
HOME (POLICE II) DEPT.,
SECRETARIAT, CHENNAI 9.
- 2 THE DIRECTOR GENERAL OF POLICE,
CHENNAI 4, TAMILNADU. ...RESPONDENTS

Prayer : Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records connected in Endt. No.GB.II (1)/94080/2007 dt 14.12.2007 passed by the 2nd respondent and quash the same and direct the respondents to pay the Surrender Leave Salary to the petitioner as per rules and pay arrears with interest.

For Petitioner : Mr.K.Sannjay
For Respondents : Mr.T.Arunkumar, A.G.P.

O R D E R

According to the learned counsel appearing for the petitioner, in view of the statement made by the respondent in paragraph 10 of the counter affidavit, nothing survives for adjudication in the writ petition. Paragraph 10 of the counter affidavit reads as follows:



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"With regard to the averments made in grounds 1, 2, 3 and 4 of the affidavit, it is submitted that the representation, dated 28.6.1999 submitted by the petitioner was not received either by the second respondent or by the Superintendent of Police, Kanniyakumari District the sanctioning authority. Hence, his request was rejected by the second respondent by an order, dated 14.12.2007 in C.No.G.B.II (1)/94080/2007 due to the fact that the petitioner did not submit requisition within a month of reinstatement into service. Later, it came to notice that he had submitted the representation to the Inspector General of Police, C.S.G.C.I.D., Chennai, within a month of settlement of his out of employment period. Hence, he was sanctioned Surrender leave Salary for the period from the years 1980 to 1995 as per the order dated 28.4.2011 in D.No.687/2011 in C.No.H2/16448/2011 by the Superintendent of Police, Kanniyakumari District and the arrears of S.L.S. Was also drawn and paid by the Superintendent of Police, Virudhunagar District on 11.7.2011 vide S.Bill No.150/2011-12.

2. Recording the said statement made in the counter affidavit filed by the respondent, the writ petition stands dismissed as infructuous. No costs. Connected miscellaneous petition is closed.

s/d-
Assistant Registrar

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Sub-Assistant Registrar

vaan
To

1 THE SECRETARY TO GOVT.,
STATE OF TAMILNADU, HOME (POLICE II) DEPT.,
SECRETARIAT, CHENNAI 9.



2 THE DIRECTOR GENERAL OF POLICE,
CHENNAI 4, TAMILNADU.

+1 CC to Mr.G.Elanchezhiyan, Advocate sr 62401
+1 CC to The Government Pleader sr 62620.

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and M.P.No.1 of 2009

SS (CO)
SP (13/12/2021)