



WEB COPY

W.P.No.22000 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22000 of 2018

S.Ramalingam

... Petitioner

Vs.

1.State of Tamil Nadu

Rep. by its Secretary to Government,
Home Department,
Secretariat,
Chennai – 600 009.

2.The Director General of Police,

Beach Road,
Mylapore,
Chennai – 600 004.

3.The Superintendent of Police,

CBCID,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, call for the records relating to proceedings in Na.Ka.No.A1/07262/2018 dated 15.05.2018 and quash the same consequentially direct the Respondents to sanction 10% of basis pay as special pay to the petitioner along with the eligible interest.



WEB COPY

W.P.No.22000 of 2



For Petitioner : Mr.A.R.Nixon
For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

The order of rejection, rejecting the claim of the writ petitioner in proceedings dated 15.05.2018 is under challenge in the present writ petition.

2. The petitioner is a retired Sub-Inspector of Police and retired on 31.01.2010. The petitioner states that he worked under CBCID Crime Branch between 2004 to 2007 as Head Constable. Thereafter, he served in the Crime Branch Criminal Intelligence Department in Organised Crime Unit (in City) Branch and thereafter, promoted as Sub-Inspector of Police.

3. The grievance of the writ petitioner is that 10% of Basic Pay as Special Pay as permissible was not granted to the petitioner in accordance with G.O.Ms.No.667, Home (POL-8) Department dated 14.08.2009. Thus, the petitioner submitted a representation and the Superintendent of Police has written a letter to the Director General of Police stating that the said Special Pay was not granted to the Police personnel serving in Crime Branch.



4. Perusal of the Government order issued in G.O.Ms.No.667, Home (POL-8) Department dated 14.08.2009, reveals that 10% of Basic Pay as Special Pay is granted only to SBCID personnel and it was not granted to the Branch in which the petitioner served. The Government ordered 10% of Basic Pay to be sanctioned as Special Pay to the cadres from the Police Constable to the level of Additional Superintendent of Police and Non-I.P.S. Superintendent Police serving in the SBCID, SBCID Special Division, Security Branch CID, “Q” Branch CID, Core Cell CID, Special Branch Assistants and Shorthand Bureau Staff with effect from 01.08.2009.

5. When the Government order categorically stipulates the eligibility for grant of 10% of Basic Pay as Special Pay, rejection of claim of the writ petitioner is in consonance with the Government policy and there is no infirmity as such.

6. Accordingly, the Writ Petition stands dismissed. No costs.

20.10.2022

Jeni
Index : Yes
Speaking order / Non-speaking order



To

W.P.No.22000 of 2



WEB COPY

1. The Secretary to Government,
State of Tamil Nadu
Home Department,
Secretariat,
Chennai – 600 009.
2. The Director General of Police,
Beach Road,
Mylapore,
Chennai – 600 004.
3. The Superintendent of Police,
CBCID,
Chennai.



WEB COPY

W.P.No.22000 of 2



S.M.SUBRAMANIAM, J.

Jeni

W.P.No.22000 of 2018

20.10.2022