



W.P.(MD)Nos.4153 and 4150 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.4150 and 4153 of 2020

Neelamegam

... Petitioner in both W.Ps

Vs.

- 1.The Director General of Police,
Office of the Director General of Police,
Chennai – 600 004. ... 1st respondent in W.P(MD)No.4150/2020
- 2.The Secretary to Government,
Home (Police VI) Department,
Secretariat,
Fort St. George,
Chennai – 600 009. ... 1st respondent in W.P(MD)No.4153/2020
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur. ... 2nd Respondent in both W.Ps.

Prayer in W.P(MD)No.4150 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records issued by the first respondent in Rc.No.10527/Con.II(1)/2012, dated 27.10.2018 and quash the same and



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consequently direct the respondents to refund the amount of pension recovered from the petitioner's pension along with other monetary and attendant benefits within the period stipulated by this Court.

Prayer in W.P(MD)No.4153 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records issued by the first respondent in his proceedings in G.O(2D) No.182, Home (Police VI) Department dated 30.05.2018 and consequential proceedings issued by the second respondent in his proceedings in D O 1091/2019 R C No K4/PR 03/2013 dated 16.09.2019 and quash the same as illegal and unconstitutional and consequently direct the respondents to pay all attendant benefits to the petitioner, within the time stipulated by this Court.

(In both W.Ps)

For Petitioner

: Mr.r.Suresh Kumar for
M/s.Veera Associates

For Respondents

: Mr.S.P.Maharajan,
Special Government Pleader

COMMON ORDER

Since the issue raised in these writ petitions is one and the same, these writ petitions are disposed of by way of this common order.



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2. W.P(MD)No.4150 of 2020, has been filed to quash the order passed by the first respondent in Rc.No.10527/Con.II(1)/2012, dated 27.10.2018 and consequently, direct the respondents to refund the amount of pension recovered from the petitioner's pension along with other monetary and attendant benefits within a specified period.

3. W.P(MD)No.4153 of 2020 has been filed to quash G.O(2D) No.182, Home (Police VI) Department, dated 30.05.2018 and the consequential proceedings issued by the second respondent in his proceedings in D O 1091/2019 R C No K4/PR 03/2013, dated 16.09.2019 and to consequently direct the respondents to pay all attendant benefits to the petitioner, within a specified period.

4. These writ petitions have been filed challenging the punishment imposed on him. However, when the matter is taken up for hearing today, the learned counsel appearing for the petitioner, on instructions would submit that it would suffice, if the respondents are directed to settle the terminal benefits, within a specified period.



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5. The learned Special Government Pleader appearing for the official respondents, has no serious objection for such an order being passed by this Court.

6. Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without interfering with the impugned orders, directs the respondents to disburse the eligible terminal benefits to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, these Writ Petitions are disposed of.
No costs.

10.01.2023

PM
NCC:Yes/No
Index:Yes/No



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To

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2.The Secretary to Government,
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Chennai – 600 009.

3.The Superintendent of Police,
Office of the Superintendent of Police,
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M.DHANDAPANI, J.

pm

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