



W.P.(MD).No.9699 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.9699 of 2023

M.Duraipandi

... Petitioner

Vs

1. The Director General of Police,
Office of the Director General of Police,
Beach Road, Chennai.
2. The Accountant General (Accounts and Entitlements),
361, Anna Salai, Chennai - 600 018, Tamil Nadu.
3. The Deputy Inspector General of Police,
Dindigul Range, Dindigul.
4. The Superintendent of Police,
Dindigul District, Dindigul.
5. The Inspector of Police,
Chatrapatti Police Station, Dindigul District.
6. The Secretary,
(M.D.103) Dindigul District,
Police Employees Co-Operative Thrift and Credit Society Limited,
Office at District Police Office,
Dindigul District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant pension to the petitioner and further directing the fourth respondent not to insist to get the no objection certificate for granting pension from the sixth respondent that the loan amount has been repaid fully to them and instead of repayment of loan from the pockets of petitioner, the retirement benefits of him may be deducted and remitted to their account along with waiver of interest, if any, available for the petitioner and the representation has been submitted to the Superintendent of Police, Dindigul on 24.11.2022 to be considered within a short date that may be fixed by this Court.

For Petitioner : Mr.M.Duraipandi
Petitioner in person

For Respondents : Mr.D.S.Nedunchezhiyan (R1, R3 - R5)
Government Advocate

Mr.P.Gunasekar (R2)
Standing Counsel



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ORDER

The present writ petition has been filed seeking a direction to the respondents to grant pension to the petitioner and further directing the fourth respondent, not to insist to get the no objection certificate for granting pension from the sixth respondent that the loan amount has been repaid fully to them and instead of repayment of loan from the pockets of petitioner, the retirement benefits of him may be deducted and remitted to their account along with waiver of interest, if any, available for the petitioner and the representation has been submitted to the Superintendent of Police, Dindigul on 24.11.2022 to be considered within a short date that may be fixed by this Court.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the petitioner in person. Mr.D.S.Nedunchezhiyan, learned Government Advocate appearing for the respondents 1, 3 to 5 and Mr.P.Gunasekar, learned Standing Counsel appearing for the second respondent. Perused the materials on record.



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4.The petitioner was a former Police Constable, who was awarded with a punishment of compulsory retirement on 09.09.2020 by the Superintendent of Police, Dindigul, So far, he was not disbursed with his retirement and pensionary benefits. Hence, the writ petition came to be filed, seeking a direction to the fourth respondent, not to insist to get the no objection certificate for granting pension from the sixth respondent, by considering the petitioner's representation, dated 24.11.2022.

5.The learned Government Advocate appearing for the respondents 1, 3 to 5 has filed a counter stating that the petitioner has to remit Government dues to the tune of Rs.6,54,442/-. On payment of the said dues, no objection certificate to release the pensionary benefits to the petitioner would not be an impediment for the respondents 4 and 6. Therefore, he contended that the petitioner may be directed to pay the dues to the Government.

6.The learned Standing Counsel appearing for the second respondent would categorically states that for facilitating all further procedure, immediately the petitioner has to appear before the Medical Board and subject



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himself for medical examination and after the said exercise, the other procedures would be done by the respondents.

7.In view of the above, this Court hereby directs the petitioner to appear before the fourth respondent immediately and make an application in person, seeking to send him for medical examination. On receipt of the said application, the fourth respondent is further directed to send the petitioner to the Medical Board for appropriate medical examination. On completion of medical examination, the fourth respondent is directed to submit a proposal to the second respondent, who in turn, shall process the same and pass appropriate orders, in accordance with law, within a period of twelve (12) weeks, from the date of receipt of a copy of this order.

8.Accordingly, this writ petition stands disposed of. There shall be no order as to costs.

04.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



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L.VICTORIA GOWRI, J.

PNM

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