



W.P(MD).No.13945 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.13945 of 2023

and

W.M.P(MD)No.11769 of 2023

P.Paramasivam

... Petitioner

-VS-

1.The Director General of Police,
Post Box No.601, Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.

2.The Superintendent of Police,
Kanyakumari District,
Kanyakumari.

3.The Deputy Inspector General of Police,
Tirunelveli Region,
Tirunelveli.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned order in D.O.No.436/2023 dated 30.05.2023 on the file of the 2nd respondent and quash the same and further directing the respondents to disburse the consequential monetary benefits.



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For Petitioner : Mr.G.Prabu Rajadurai
For Respondent : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The instant writ petition has been filed by the Head Constable challenging the order dated 30.05.2023 wherein he has not been permitted to retire and his service has been retained.

2.A perusal of the impugned order reveals that the petitioner has been arrayed as an accused in S.C.No.195 of 2011 on the file of the Additional District Court, Tenkasi.

3.In such circumstances, this Court is of the considered opinion that during the pendency of the criminal trial, the authorities are very well within their right to retain the services of the petitioner without permitting him to retire. Therefore, this Court does not find any illegality or infirmity the order impugned in the writ petition.



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4.In view of the above, this Writ Petition is disposed of. The petitioner is at liberty to revive his request after the disposal of the criminal case. No costs. Consequently, connected miscellaneous petition is also closed.

14.10.2024

NCC : Yes/No

Index : Yes / No

Internet : Yes / No

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To

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R.VIJAYAKUMAR,J.

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