



W.P.(MD) No.17116 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.17116 of 2024

S.Esakkipandi

... Petitioner

Vs.

1. The Director,
Directorate of Vigilance and Anti- Corruption,
No.293, M.K.N. Road,
Alanthur,
Chennai-16.

2. The Superintendent of Police,
Vigilance and Anti-Corruption,
North Region,
Alanthur,
Chennai-16.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to permit the petitioner to retire on Medical Invalidation ground in the light of Medical Report issued by the Medical Board vide letter, dated 23.04.2024 and by considering the petitioner`s representation, dated 06.05.2024.



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WEB COPY For Petitioner : Mr.A.Nawaz Khan
for M/s.Ajmal Associates

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the 1st respondent to permit the petitioner to retire on Medical Invalidation ground in the light of Medical Report issued by the Medical Board vide letter, dated 23.04.2024 and by considering the petitioner`s representation, dated 06.05.2024.

2. Heard Mr.A.Nawaz Khan, learned counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader appearing for the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The petitioner has filed this writ petition seeking to accept his voluntary retirement on 11.07.2023. The petitioner submitted that without



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petitioner's knowledge, the voluntary retirement offer given by him has been subsequently withdrawn and now he is found to be suffering from major depressive disorder and he has not been able to continue his service. It seems that the petitioner is undergoing treatment for medical illness and he is also ready to go on voluntary retirement.

5. The learned Government Advocate submitted that considering the mental health issues of the petitioner, the respondents have sought for an opinion from the Government whether the petitioner's service has been terminated on the ground of medical invalidation.

6. (*)The learned counsel for the petitioner submitted that the petitioner be allowed to go on retirement on medical invalidation by considering his representation dated 06.05.2024 given in this regard.

7. (*)In view of the same, first respondent is directed to consider the petitioner's representation dated 06.05.2024, requesting retirement on medical invalidation, on merits and in accordance with due procedure and take a decision in this regard as expeditiously as possible, preferably within a period of six weeks.



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8. (*) With the above observation and direction, this writ petition is

disposed of. No costs.

Sd/-

Assistant Registrar(C.S.III)

(*)Corrected as per order of this Court dated 05/09/2024 made in WP(MD)No. 17116 of 2024.

Sd/-

Assistant Registrar(CO)

// True Copy //

/10/2024

Sub Assistant Registrar
(CS-I/II/III/IV)

bkn

To

1. The Director,
Directorate of Vigilance and Anti- Corruption,
No.293, M.K.N. Road,
Alanthur,
Chennai-16.

2. The Superintendent of Police,
Vigilance and Anti-Corruption,
North Region,
Alanthur,
Chennai-16.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-38245 & 49619[F] dated <https://www.mhc.tn.gov.in/judis>



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29/07/2024 & 06/09/2024)

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+1 CC to M/s.SPL.GP (SR-38624[F] dated 30/07/2024)

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26.07.2024

SI -(27.08.2024) 5P/ 5C

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Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.

SL(01.10.2024)/ 5P/ 7C

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