



W.P.(MD) No.19493 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.19493 of 2023
and W.M.P.(MD)No.16130 of 2023

P.Raju ... Petitioner

-VS-

1.The Director General of Police,
Mylapore,
Chennai-4.

2.The Superintendent of Police,
Q-Branch, CID,
Chennai-4.

3.The Superintendent of Police,
Theni,
Theni District.

4.The Accountant General (A & E),
O/o. Accountant General of Tamil Nadu,
No.361, Anna Salai, Teynampet,
Chennai – 600018.

...

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India,
praying for issuance of a writ of certiorarified mandamus, to call for the



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records relating to the impugned order passed by the 4th respondent in his proceedings No.AG(A&E)/PENP04/10430791/3/P0522021, dated 28.12.2022, and quash the same as illegal, arbitrary, and consequently direct the 4th respondent to revise the pensionary benefits and increments with all attendant and other benefits to the petitioner according to his net qualifying service.

For Petitioner : Mr.D.Kirubakaran

For Respondents 1 to 3 : Mr.S.Shaji Bino,
Spl.Govt. Pleader.

For Respondent 4 : Mrs.S.Mahalakshmi,
Standing Counsel.

ORDER

The instant Writ Petition has been filed by a retired Special Sub Inspector of Police, seeking to quash the order passed by the fourth respondent herein, wherein, the petitioner's net qualifying service was mentioned as 28 years 9 months and 7 days. The petitioner has prayed for proper calculation of his net qualifying service and to disburse all the attendant benefits along with arrears.



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2. This Writ Petition was filed on 04.08.2023. Thereafter, the fourth respondent has recalled the order impugned in the writ petition and passed a fresh order, calculating the net qualifying service of the petitioner as 36 years 5 months and 3 days.

3. According to the petitioner, the net qualifying service under the new order is correct and he is satisfied with the same. However, the contention of the learned counsel for the petitioner is that in view of the modification of the net qualifying service, all other attendant benefits along with arrears have not been disbursed to the petitioner so far.

4. In view of the revision of the net qualifying service made by the fourth respondent, the respondents are directed to revise the pensionary benefits and pay arrears along with all other attendant benefits to the petitioner within a period of twelve weeks from the date of receipt or production of copy of this order.

5. Writ Petition stands allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

21.08.2024

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

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R.VIJAYAKUMAR, J.

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