



W.P.No.4596 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.4596 of 2025

R. Dhandapani

... Petitioner

Vs.

The Director General of Police
Dr.Radhakrishnan Salai,
Mylapore,
Chennai 600 004.

... Respondent

PRAYER : Writ Petition filed under Article 226 of Constitution of India, to issue Writ of Mandamus to direct the respondent to consider the petitioner representation dated 08.01.2024 for the purpose of calculating the pension by fixing the notional fixation for the out of employment period as per F.R.54-A(3) within a reasonable time fixed by this Court.

For Petitioner : Mr.Ali Hassan Khan

For Respondent : Mr.V.Nanmaran
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondent to consider the petitioner representation dated 08.01.2024



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for the purpose of calculating the pension by fixing the notional fixation for the out of employment period as per F.R.54-A(3).

2. The petitioner seeks that the pension should be calculated by taking into consideration the order of the learned single Judge in W.P.No.1412 of 2018 dated 03.01.2019 filed by the petitioner herein. The petitioner had entered into service as Police Constable on 01.05.1988. Thereafter, departmental proceedings had been initiated against the petitioner and after enquiry on 19.08.1997 he was imposed with punishment of dismissal from service. The petitioner thereafter filed the aforesaid mentioned W.P.No.1412 of 2018 and the learned single Judge of this Court had set aside the dismissal and directed reinstatement but however directed that non duty period of 12 years shall be treated as duty period for the limited purpose of calculating the qualifying service for pension.

3. In W.P.No.32820 of 2005 order dated 18.09.2009, the petitioner had sought for recalculation of the pension payable to him by taking into consideration the non duty period of 12 years also which had been directed to be treated as duty period for the purpose of calculating qualifying service for



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pension. The petitioner had given a representation on 08.01.2024. A direction is issued to the respondents to examine the service records of the petitioner and examine whether pension already calculated is proper and whether it requires revision and if it requires revision to pass necessary orders within a period of three months from the date of receipt of a copy of this order.

4. With the above direction and observation, the writ petition is disposed of. No costs.

12.02.2025

dpq

Index : Yes /No

Speaking Order : Yes/No



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C.V.KARTHIKEYAN, J.

dpq

To

The Director General of Police
Dr.Radhakrishnan Salai,
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