



WEB COPY

WP No. 40703 of 2015



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 10-10-2025**

CORAM

**THE HONOURABLE MR.JUSTICE K. SURENDER**

**WP No. 40703 of 2015  
and WMP.No.38974 of 2025**

K.Veerappan,

Petitioner(s)

Vs

1. The Superintendent of Police,  
Coimbatore District, Coimbatore.

2.The Deputy Inspector General  
of Police, Coimbatore Range,  
Coimbatore.

Respondent(s)

**PRAYER:** This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandamus to call for the records of the 1st respondent in connection with the impugned order passed in Na.Ka.No.F1/ PR 105/ 2013 of Tiruppur District and Na.Ka.No.J1/ PR 24/2015 of Coimbatore District dated 11.07.15 and confirmed by the 2nd respondent in C No.D2/10660/2015 dated 29.10.2015 and the consequential order of the 1st respondent issued in C.No.F1/PR No.24/2015 dated 05/03/2025, quash the same and direct the respondents to superannuate the petitioner from service and settle his retirement benefits within a reasonable time.

(Prayer amended vide order dated 19.09.2025 made in WMP.38972/2025 in



WP.40703/2015 By KSJ).

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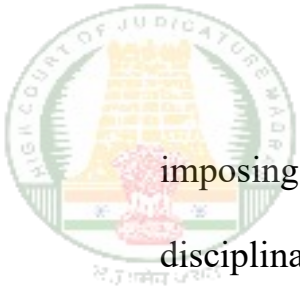
For Petitioner(s): Mr.Venkat Ramani Senior Counsel  
for Mr.M.Muthappan

For Respondent(s): Ms.R.L.Karthika GA

### **ORDER**

This Writ Petition is filed challenging the order passed by the first respondent in Na.Ka.No.F1/ PR 105/ 2013 of Tiruppur District and Na.Ka.No.J1/ PR 24/2015 of Coimbatore District dated 11.07.2015 and the confirmation order passed by the 2nd respondent in C.No.D2/10660/2015 dated 29.10.2015, as well as the consequential order issued by the 1st respondent in C.No.F1/PR No.24/2015 dated 05/03/2025, and seeking direction to the respondents to superannuate the petitioner from service on 30.07.2015 and to settle all his retirement benefits within a reasonable time.

2. The brief facts of the case are that the petitioner is a directly recruited Grade II Police Constable in the Coimbatore District Armed Reserve Police. After completion of 25 years of service, petitioner was upgraded as Special Sub-Inspector of Police with effect from 10.04.2012. He was due for superannuation on 30.07.2015. However, the first respondent, by order dated 11.07.2015 passed the impugned order vide Na.Ka.No.E1/PR.105/2013 of Tiruppur District and Na.Ka.No.J1/PR.24/2015 of Coimbatore District,



imposing the punishment of compulsory retirement from service pursuant to disciplinary proceedings initiated against him. The said order was confirmed by the second respondent vide proceedings C.No.D2/10660/2015 dated 29.10.2015. Further, consequent to the said punishment, the first respondent issued a consequential order dated 05.03.2016 in C.No.F1/PR.24/2015, treating the petitioner as having been compulsorily retired and withholding his retirement benefits. Aggrieved by the same, the petitioner has preferred this Writ Petition.

3. The sole ground raised by the learned Senior Counsel for the petitioner is that it is mandatory for the authority, while imposing the punishment of compulsory retirement, to expressly reserve its right to recover any amount or pass any further order on a subsequent date. The learned counsel contends that since the order imposing compulsory retirement did not contain any clause of reserving the right to pass orders under Rule 39 or Rule 9 of the Tamil Nadu Pension Rules, the subsequent recovery of any amount is impermissible in law.

4. The learned counsel for the respondents fairly submitted that the order of compulsory retirement did not mention that the authority had reserved its right to pass orders as contemplated under Section 39 or Rule 9 of the Tamil Nadu Pension Rules.





eight weeks from the date of receipt of copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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**K.SURENDER, J.**  
**10-10-2025**

Jai

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.The Superintendent of Police,  
Coimbatore District, Coimbatore.

2.The Deputy Inspector General  
of Police, Coimbatore Range,  
Coimbatore.



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