



W.P.No.15209 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated: 18.03.2025

CORAM :

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.15209 of 2024
& W.M.P.Nos.16542 & 16543 of 2024

T.Lokaiah, M/66,
S/o.Thiruvankadam,
No.29, Perumal Koil Street,
Gounderpalayam,
Subbareddipalayam Post,
Ponneri Taluk,
Tiruvallur District.

... Petitioner

VS.

1. The Director General of Police,
Mylapore, Chennai – 4.
2. The Inspector General of Police,
North Zone, Alandhur, Chennai – 16.
3. The Superintendent of Police,
Tiruvallur District, Tiruvallur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned order passed by the 3rd respondent in his proceedings Na.Ka.No.12/2022/Vidhi.3 (B), dated 29.04.2024 and quash the same and



W.P.No.15209 of 2024

consequently directing the respondents to disburse the petitioner's all retirement benefits as well as Pension together with interest to the petitioner.

For Petitioner : Mr.C.Prakasam.
For Respondents : Mr.M.Shajahan,
Special Government Pleader

ORDER

This Writ Petition has been filed in the nature of Certiorarified Mandamus seeking to call for the records relating to an order passed by the 3rd respondent, Superintendent of Police, Tiruvallur District in proceedings Na.Ka.No.12/2022/Vidhi.3 (B), dated 29.04.2024 and quash the same and direct the respondents to disburse the retirement benefits of the petitioner including pension together with interest.

2. In the affidavit filed in support of the writ petition, it had been stated that the writ petitioner had been initially appointed as Grade-II Police Constable in the year 1984 and subsequently, promoted as Grade-I Police Constable in the year 1994 and in the year 2010 was promoted as Special Sub-Inspector of Police. At that time, a F.I.R in Crime No.12 of 2012 had been registered by the Vigilance and Anti Corruption Department against the petitioner



W.P.No.15209 of 2024

for the alleged demand and acceptance of bribe. After investigation, the final report was taken cognizance by the Special Court/Chief Judicial Magistrate Court, Thiruvallur, in Special Case No.8 of 2013. It had been stated that the petitioner had been acquitted of all charges by a judgment dated 20.09.2019. The respondents have not filed any appeal against the said judgment.

3. Thereafter, disciplinary proceedings were conducted by the respondents and an order of compulsory retirement was passed by proceedings dated 22.08.2023 by the third respondent. The petitioner then sought disbursement of the pensionary benefits which he was entitled to receive in view of the punishment imposed, namely compulsory retirement.

4. In the counter-affidavit, it had been contended that steps were taken to disburse the pensionary benefits without any delay. In this connection, it had been stated that Deputy Inspector General, Kanchipuram had addressed a letter dated 13.03.2024 in C.No.F1/PR.No.12/2022 to the 1st respondent/Director General of Police with respect to the disbursement of pensionary benefits of the petitioner herein. In the meanwhile, the Government had addressed a letter dated



W.P.No.15209 of 2024

18.01.2024 to the 1st respondent/Director General of Police wherein, the

WEB punishment of dismissal/removal from service had been brought into the enactment by way of amendment to the Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules, 1955 *vide* the G.O.(D) No.918, Home (Police VI) Department, dated 08.12.2022. In view of that particular amendment brought into the Rules, *suo motu* revisions were taken by the 1st respondent/Director General of Police relating to all punishments of dismissal/removal from service. The petitioner had been compulsory retired from service and his case has also been taken up by the Director General of Police/1st respondent. A direction is issued to the 1st respondent to take an appropriate decision and also to consider the fact that the petitioner had been acquitted of all charges by the Special Court/Chief Judicial Magistrate, Tiruvallur in Spl.Case No.8 of 2013 and that the order of acquittal should be given its due weightage by the 1st respondent. Further, the respondents had not taken any decision to file an appeal against the said judgment of acquittal, which therefore has attained finality. It would only indicate that no criminal case had been registered against the petitioner which would also indicate that there has been no demand and no acceptance of any money, much less tainted money.



W.P.No.15209 of 2024

5. The 1st respondent is, therefore, directed to take a consider decision to disburse the pensionary benefits consequent to the proposals put up dated 13.03.2024 in C.No.F1/PR.No.12/2022, within a period of three months, from the date of receipt of copy of this order. It must also be kept in mind that if there is a delay in disbursement of the benefits, interest would necessarily have to be paid and that would only cause additional loss to the Government and should, therefore, be avoided. Therefore, an order must be passed by the 1st respondent at the earliest, preferably within a period of three months from the date of receipt of copy of this order.

6. Accordingly, this writ petition is disposed of. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

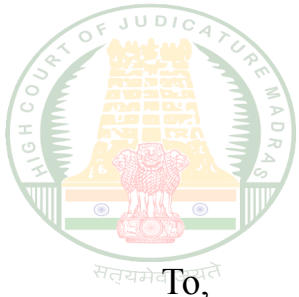
18.03.2025

Neutral Citation : Yes/No.

Index :Yes/No.

Internet :Yes.

bsm



W.P.No.15209 of 2024

To,

WEB

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

2. The Inspector General of Police,
North Zone, Alandhur, Chennai – 16.

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

4. The Government Pleader, High Court, Madras.

5. The Public Prosecutor, High Court, Madras.



WEB COPY



W.P.No.15209 of 2024

C.V.KARTHIKEYAN, J.

bsm

W.P.No.15209 of 2024

18.03.2025

Page 7 of 7