



WEB COPY



W.P.No.40731 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.40731 of 2025

J.John

Vs

Petitioner

- 1.The Director General of Police,
Dr.Radhakrishnan Road, Mylapore,
Chennai-600004.
- 2.The Additional Director General of Police,
Armed Police, Kilpauk,
Chennai-600010.
- 3.The Inspector General of Police,
Armed Police, Kilpauk,
Chennai-10.
- 4.The Deputy Inspector General of Police,
Armed Police, Kilpauk, Chennai-10.
- 5.The Commandant,
TSP XV Battalion,
Sevoor, Vellore District.

....

Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents 4 and 5 to treat the entire suspension period of the petitioner from 18.6.2021 to 7.9.2022 as duty period for all purposes and to refund the amounts already withheld by the respondents in view of the order dated

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10.08.2023 passed by the first respondent setting aside the entire punishment against the petitioner, within time frame.

For Petitioner : Mr.Ravi Ananthapadmanabhan
Senior Counsel
for Mr.S.Dayanand

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This Writ Petition has been filed for a direction directing the respondents to treat the petitioner's period of suspension as duty period.

2. The petitioner while working as Inspector of Police, he was suspended from service alleging that between 19.01.2021 and 02.03.2021, he obtained diesel bills for the police vehicles without actually filling it thereby caused loss to the exchequer to the tune of Rs.1 lakh. After enquiry, the petitioner was awarded punishment by postponing his increment for three years with cumulative effect. He filed an appeal and it was reduced to three years to two years with cumulative effect. Thereafter, the petitioner filed mercy petition before the first respondent



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and the first respondent completely set aside the order of punishment.

Therefore, the petitioner submitted representation to treat the period of suspension as duty period to the respondents.

3. On instructions, learned Special Government Pleader for respondents would submit that the first respondent is the competent authority to consider the request made by the petitioner to treat the period of suspension as duty period.

4. In view of the above, the second respondent is directed to forward the representation dated 19.09.2023 submitted by the petitioner to the first respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to consider the request made by the petitioner on merits and in accordance with law and dispose of the same within a period of eight weeks thereafter.



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5. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

03.11.2025

Internet : Yes
Index : Yes/No
mrn

To

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