



WEB COPY



W.P.No.43685 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2025

CORAM:

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

W.P.No.43685 of 2025

C.Chinnasamy

... Petitioner

-Vs-

1. The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai-600 004.
2. The Deputy Inspector General of Police,
Salem Range, Salem District.
3. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
4. The Deputy Superintendent of Police,
Harur Sub-Division,
Dharmapuri District.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 3rd Respondent dated 31.05.2023 in D.O.No.337/2023 in C.No.H2/PR No.121/2014 and Consequential order passed by the 3rd Respondent in D.No.342/2023 in R.C.No.E3/10223/2023 dated 31.05.2023 and to quash the same, consequently directing the 3rd Respondent permitting the petitioner to retire from service peacefully and to pay all the monetary emoluments of retiral benefits including pension.



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For Petitioner : Mr.C.Prabakaran
For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order of suspension dated 31.05.2023, passed by the third respondent, thereby suspending the petitioner from service and he was also not permitted to retire from service.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was appointed as Grade-II Police Constable on 12.09.1986. Subsequently, the petitioner was promoted to the post of Grade I Police Constable and later, promoted to the post of Special Sub-Inspector of Police. He had attained the age of superannuation on 31.05.2023 and on the date of superannuation, he was suspended from service, on the ground that a criminal case is pending against the petitioner in CC.No.71 of 2020. Further, he was not allowed to retire from service.

4. After fullfledged trial, the criminal case ended in acquittal. Even before that, disciplinary proceeding was proceeded against the petitioner and he was



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imposed punishment of postponement of increment for two years with cumulative effect. Now, the punishment period is also over and the criminal case ended in acquittal. Therefore, there is no impediment for allowing the petitioner to retire from service.

5. In view of the above, the impugned orders cannot be sustained and are liable to be quashed. Accordingly, the order passed by the third respondent dated 31.05.2023 in D.O.No.337/2023 in C.No.H2/PR No.121/2014 and consequential order passed by the third respondent in D.No.342/2023 in R.C.No.E3/10223/2023 dated 31.05.2023 are hereby quashed. The third respondent is directed to permit the petitioner to retire from service and pay all his terminal benefits including pension, within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands allowed. No costs.

14.11.2025

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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G.K.ILANTHIRAIYAN. J,

mn

To

1. The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai-600 004.
2. The Deputy Inspector General of Police,
Salem Range, Salem District.
3. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
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