



*W.P.(MD).No.19665 of 2020*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2025

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD).No.19665 of 2020

and

W.M.P.(MD)No.16390 of 2020

&

W.M.P.(MD)No.13031 of 2021

M.Periyasamy

... Petitioner

Vs.

1.The Director General of Police,  
Radhakrishnan Salai,  
Chennai-4.

2.The Additional Director General of Police,  
Law and Order,  
Chennai-4.

3.The Deputy Inspector General of Police,  
Trichy Range,  
Trichy.

4.The Superintendent of Police,  
Karur District,  
Karur.

... Respondents



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**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings issued by the 4th respondents in C.No.A4/PR.No.09/2008 dated 01.02.2017 which was confirmed by the 1<sup>st</sup> respondent in his proceedings in Rc.No. 190861/A.P.IV (1)/2017 dated 23.06.2018 and quash the same and consequently, direct the respondents to pay all monetary and attendant benefits.

For Petitioner : Mr.S.Ramsundarvijayraj  
for M/s.Veera Associates

For Respondents : Mr.N.Satheesh Kumar  
Additional Government Pleader

### **ORDER**

The present writ petition has been filed by the Grade II Constable challenging the order of the compulsory retirement dated 01.02.2017.

2. A perusal of the records reveal that the petitioner has been issued with a charge memo on 26.03.2008. In view of pendency of the



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criminal proceedings, the departmental enquiry was postponed due to the orders of this Court. The petitioner got acquitted on 08.04.2014 and he submitted his explanation to the charge memo on 23.02.2015.

3. A report was submitted in the departmental enquiry on 29.03.2016 and the second show cause notice was issued to the writ petitioner on 26.12.2016. The impugned order of compulsory retirement was issued on 01.02.2017 with effect from 31.03.2008. This order is put to challenge in the present writ petition.

4. It is an admitted fact that the actual date of superannuation of the petitioner is 31.03.2008. The order of compulsory retirement has also been given effect to only from the date of superannuation. Therefore, the petitioner cannot have any grievance whatsoever with regard to the monetary benefits to be received by the writ petitioner.

5. According to the learned counsel appearing for the writ petitioner, the alleged delinquency had taken place on 09.04.2005 and he



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was placed under suspension on 11.04.2005. However, the suspension was revoked only on 27.02.2008. Therefore, the period of suspension has to be regularised so that he can receive the monetary benefits.

6. The learned Additional Government Pleader appearing for the respondents brought to the notice of this Court that already orders have been passed by the fourth respondent on 21.08.2018 treating the suspension period as eligible leave period. Under such circumstances, unless the said order is challenged, the issue of regularization of the suspension period cannot be considered in the present writ petition.

7. In view of the above said facts, this Court does not find any reason to interfere in the order of the compulsory retirement because it has not caused any prejudice to his service or monetary benefits. In case if the petitioner wishes to get any regularization of the suspension period for the purpose of monetary benefits, it is open to him to challenge the order of the fourth respondent dated 21.08.2018.



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8. With the said observations, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

**16.12.2025**

Index : Yes / No  
Internet : Yes / No  
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To

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**R.VIJAYAKUMAR ,J.**

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Order made in  
W.P.(MD).No.19665 of 2020

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