



WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 24.04.2025

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MS JUSTICE R.POORNIMA**

**W.A(MD)No.1333 of 2022
and
C.M.P(MD)No.10444 of 2022**

- 1.The State of Tamil Nadu,
represented by its Secretary to Government,
Home Department,
Secretariat, Chennai.
- 2.The Director General of Police,
Chennai-4.
- 3.The Deputy Inspector General of Police,
Madurai Range,
Madurai.
- 4.The Superintendent of Police,
Sivagangai District,
Sivagangai.

... Appellants/Respondents

.Vs.

P.Gurusamy,
Head Constable(Under Suspension),
S.S.Kottai Police Station,



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Sivagangai District.

... Respondent/Writ Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act praying this Court to set aside the judgment of this Court made in W.P(MD)No.1258 of 2020, dated 6.2.2020.

For Appellants	: Mr.D.Gandhiraj Special Govt.Pleader
For Respondent	: Mr.H.Mohammed Imran for M/s.,Ajmal Associates

JUDGMENT

DR.G.JAYACHANDRAN,J.
AND
R.POORNIMA,J.

The writ appeal is filed to set aside the judgment passed by the learned Single Judge of this Court in W.P(MD)No.1258 of 2020, dated 6.2.2020.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The respondent herein was the Head Constable in S.S.Kottai Police Station. He was subjected to disciplinary proceedings in view of the complaint



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given by one Ganesan, Captain, Indian Army. Pending disposal of the disciplinary proceedings, he was placed under suspension and not allowed to retire even after attaining the age of superannuation on 31.12.2009. Being aggrieved, the respondent herein/Writ Petitioner filed W.P(MD)No.1258 of 2020 before this Court. This Court, after considering the long pendency of the disciplinary proceedings since 2007, allowed the Writ Petition, quash the proceedings pending against the Writ Petitioner and directed the authorities to disburse all the monetary and service benefits without reference to the charge-memo.

4. Being aggrieved, the State has preferred this Writ Appeal, which is pending for the past three years. In the meanwhile, the respondent Gurusamy was allowed to retire from service subject to the outcome of the Writ Petition. The said proceedings was issued on 6.10.2022 by the Superintendent of Police, Sivagangai. The said proceedings, which permitted Gurusamy/the respondent herein, to retire from service during the pendency of the Writ Petition was brought to the notice of the Court when the Writ Petition came up for final disposal. Recording the same, the Writ Petition was allowed in favour of Gurusamy.



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5. It is now reported by the learned counsel for the respondent that pursuant to the proceedings, dated 6.10.2022, the respondent had received all the monetary and retirement benefits and he is paid his monthly pension regularly.

6. In the light of the above fact, nothing survives for further adjudication in this matter. Hence the Writ Appeal stands dismissed No costs. Consequently, connected Miscellaneous Petition is closed.

[G.J.,J.] [R.P.,J.]
24.04.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn



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DR.G.JAYACHANDRAN, J.
and
R.POORNIMA, J.

vsn

JUDGMENT MADE IN
W.A(MD)No.1333 of 2022
and
C.M.P(MD)No.10444 of 2022

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