

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.33770 of 2015

A.Sundaram

...Petitioner

v.

1 State of Tamil Nadu
Rep.by Principal Secretary to Government
Revenue Department
Secretariat,
Chennai - 9.

2 Principal Commissioner &
Commissioner of Revenue Administration
Chepauk,
Chennai - 5.

3 The District Collector
Salem

4 The Principal Accountant General (A & E)
Tamil Nadu, Anna Salai
Chennai -18.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to regularise period of suspension from 08.09.1987 to 23.01.1996 as duty period for all purposes and forthwith disburse all consequential service and monetary benefits including revision in retirement and pensionary benefits and disbursement of all arrears with interest on the delayed payment w.e.f.01.06.2000.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.S.Gunasekaran
Govt. Advocate - for R1 to R3

Mr.V.Vijayashankar - for R4

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner, while working as Assistant in the service of Excise Department, Namakkal during the year 1987, was arrested by Vigilance and Anti Corruption Department on 07.09.1987 for the alleged demand and acceptance of illegal ratification and he was placed under suspension by the District Collector by proceedings dated 23.09.1987 with effect from 07.09.1987. The criminal case was referred to TDP, Coimbatore and the charges framed against the petitioner were proved and it has also been accepted by the 2nd respondent. Thereafter, the petitioner was reinstated in service by virtue of interim order granted by the Tribunal and ultimately, the petitioner was allowed to retire on 31.05.2000 on attaining the age of superannuation.

3. The grievance expressed by the petitioner is that his pension and retirement benefits have not been settled on the ground that the proposals for regularising the period of suspension from 08.09.1987 to 23.01.1996 submitted to the 2nd respondent by the 3rd respondent was pending and in this regard, he has also submitted a representation dated 18.03.2014 to the respondents and since no orders have been passed, he came forward to file this writ petition.

4. Heard Mr.M.Ravi, learned counsel for the petitioner, Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents 1 to 3 and Mr.V.Vijayshankar, learned counsel who accepts notice for the 4th respondent.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 18.03.2014 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the 4th respondent.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (J)

//True Copy//

Sub Assistant Registrar

Rj

To

- 1 The Principal Secretary to Government
Revenue Department
Secretariat, Chennai - 9.
- 2 Principal Commissioner &
Commissioner of Revenue Administration
Chepauk, Chennai - 5.
- 3 The District Collector
Salem
- 4 The Principal Accountant General (A & E)
Tamil Nadu, Anna Salai
Chennai -18.

1 CC to Mr.M.Ravi, Advocate SR.No. 58202

1 CC to the Government Pleader, SR.No. 58112

W.P.No.33770 of 2015

KSJ (CO)
PSI (06.11.2015)