

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2015

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.38985 of 2015

S.Innacimuthu

... Petitioner

Vs.

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

2.The District Collector
Ariyalur.

3.The Accountant General of Tamil Nadu
Chennai-18.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the first respondent herein to grant the minimum pension w.e.f. The date of retirement i.e., from 31.07.2008 by issuing suitable orders instead of from the date of issue of GO.RT.No.247, Revenue (service-8(2)), Department dated 16.06.2014 by disposing of petitioner's representation dated 23.09.2015.

For Petitioner : Mr.K.Shanmugam

For Respondents: Mr.V.Jayaprakash Narayanan,
Spl.GP. for R1 and R2.
Mr.V.Vijay Shankar for R3.

सतममेन जयते
O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The case of the petitioner is that he was originally functioning as Village Munsif and after abolition of posts on 14.11.1980, he was again appointed as Village Administrative Officer on 10.06.1999 and retired from service on attaining the age of superannuation on 31.07.2008. The petitioner would state that he is entitled for minimum pension from the date of his retirement, but the respondent is paying minimum pension from the date of issuance of GO.247 dated 16.06.2014. Therefore, the petitioner made representation dated 23.09.2015 to the respondent requesting them to pay pension from the date of his retirement i.e., on 31.07.2008. Since, it was not considered, the petitioner filed the present writ petition.

3.Heard the submissions of Mr.K.Shanmugham, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, Special Government Pleader appearing for respondents 1 and 2 and Mr.V.Viajy Shankar, learned counsel appearing for the third respondent who accepts notice on behalf of the respondents.

4.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances, permits the petitioner to submit one more representation to the first respondent by enclosing a copy of this order and relevant records 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 shall consider the said representation on merits and in accordance with law and pass appropriate orders within a period of twelve weeks thereafter and communicate the decision taken to the petitioner.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

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

2.The District Collector
Ariyalur.

3.The Accountant General of Tamil Nadu
Chennai-18.

+1cc to Mr.K. Shanmugam, Advocate, S.R.No.66773
+1cc to Mr.V. Vijayashankar, Advocate, S.R.No.66863

CTK(CO)
EU(30/12/2015)

W.P.No.38985 of 2015.