



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition (MD) No.3520 of 2015

and

M.P(MD)No.1 of 2015

C.Kaliyamoorthy

... Petitioner

Vs.

1. The Commissioner,
Treasuries and Accounts,
Panagal Building,
Saidapet, Chennai.

2. The District Collector,
Collectorate,
Thanjavur.

3. The Joint Director,
Treasuries and Accounts,
O/o.The Regional Joint Director,
Tiruchirappalli.

4. The District Treasury Officer,
The District Treasury Office,
Thanjavur.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents not to construct a new building of Sub Treasury Office other than Thiruvidadaimaruthur Town area or fix a rented building in outside the Thiruvidadaimaruthur Town.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.N.Manoharan,
Special Government Pleader.

ORDER

(Order of the Court was made by V.RAMASUBRAMANIAN,J.)

The Secretary of the Tamil Nadu Retired Officers Association of Thiruvidadaimaruthur Taluk, has come up with the above writ petition seeking a mandamus to direct the respondents not to construct the new Sub Treasury Office in a place other than Thiruvidadaimaruthur Town.

2.Heard Mr.R.Ventatesan, learned counsel for the petitioner and Mr.N.Manoharan, learned Special Government Pleader for the respondents.

3.The grievance of the petitioner is that there are about 1600 pensioners and family pensioners in and around Thiruvidadaimaruthur. The

Sub Treasury office is located in a rented building in north street in Thiruvidadaimaruthur. Since it is in a rented place, the Government made attempts to shift the office to their own building.

4. At last, the Government located a place which is said to be about 5 kms away from the existing place. Therefore, fearing the difficulties in their mobility at this advance age, the Association of Pensioners have requested the Secretary to come up with the above writ petition.

5. Notice was ordered on 12.03.2015. In response, the Treasury Officer has filed a status report contending the following highlights:-

"(a) The Government took a policy decision to locate all Sub Treasury Offices in the State in own buildings rather than in rented buildings. Therefore, a sum of Rs.19.82 Crores were sanctioned in the financial year 2013-2014 for the construction of 33 offices to locate Sub Treasuries in various places in the State.

(b) Though the Department is now functioning on machine mode, it is slowly marching towards E-Governance and online mode. After complete shift to the online mode, there will be no necessity for the pensioners to travel to the Sub Treasury Office. Hence, the question of hardship would not arise.

(c) The Government made all earnest attempts to locate a place even Thiruvidadaimarudhur Taluk in the existing building. But the attempts failed.

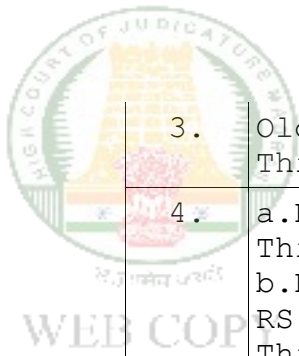
(d) No objections were raised to the A-1 notice and the resolution issued by the Panchayat Union, Thepperuma Nallur Village, Thiruvidadaimarudhur Taluk where a place is now identified. Therefore, the land of the extent of 0.90.0 hectares in R.S.No.50/32 has already been handed over. Under orders of the Collector of Thanjavur, dated 23.10.2012, the land has been occupied.

(e) Administrative sanction for the construction of a new building already issued and a rough cost estimate of Rs.67 lakhs was prepared.

(f) The Treasury Officer, Thiruvidadaimarudhur himself conducted a Pensioners Grievance Meeting in June 2014 to address their grievance. But it appears that they did not extend co-operation".

6. Therefore, in light of the above, the respondents have pleaded inability to concede to the request. As a matter of fact, the lands identified by the Revenue Department and the failure to succeed in the attempts to get those lands is provided in the form of tabulation in paragraph 6 of the status report which reads as follows:-

S.No.	Land locations identified by the Tahsildar, Thiruvidadaimarudhur
1.	RS.No.158/2-0.02.80 Sqm - Government Porambokku land, Thiruvidadaimarudhur
2.	RS.No.158/4-3.5 Ares - Taluk Tahsildar Office Campus, Thiruvidadaimarudhur



3.	Old RS.No.197/5C (new 197/5C) - 0.11.5- Thoppur Porambokku - Thiruvidaimarudhur
4.	a.RS.No.82-0.075.5 Ares - Viswanathapuram Village, Thiruvidaimarudhur Taluk. b.RS.No.82/4-1.04.0 hectare - Thiruvidaimarudhur. RS.No.50/32-2-009.0 Ares -Kalam Porambokku - Thepperuma Nallur, Thiruvidaimarudhur Taluk

7.In the light of the above and in the light of the fact that the construction is almost over, no writ of mandamus as prayed for can be issued. Hence, the writ petition is dismissed. No costs. Consequently, M.P(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1. The Commissioner,
Treasuries and Accounts,
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Saidapet, Chennai.
2. The District Collector,
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O/o.The Regional Joint Director,
Tiruchirappalli.
4. The District Treasury Officer,
The District Treasury Office,
Thanjavur.

+1 CC to Mr.R.Venkatesan, Advocate, SR No.70116

+1 CC to the Special Government Pleader SR No.70394

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and

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sms

SH/KBM:15.12.2015:3P/7C