

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No. 22959 of 2016

Dr.C.Selvaraj

.. Petitioner

Vs.

1.The Secretary & Correspondent
N.M.Christian College
Marthandam
Kanyakumari District.

2.Joint Director of Collegiate Education
Tirunelveli Region
Tirunelveli-1.

3.The Director
Department of College Education
College Road
Chennai-600 006.

4.The Principal
Accountant & General (A&E)
Tamil Nadu
Chennai-600 018.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 11.04.2016, to the 3rd respondent forwarded through the 2nd respondent to grant his pensionary benefits for the period 04.11.1992 to 03.11.1993 and include the same in his Pension Account No.AG/A&E) PEN P25/12510469/1/R2510469, dated 29.12.2014 and pass such orders as this Court may deem fit and proper in the interest of justice.

For Petitioner :Mr.T.Ravidevan

For Respondents :Mr.S.Bharathirajan
for R.1 Mrs.M.E.Raniselvam
Additional Government Pleader
for R.2 & R.3

Mr.Vijayshankar
for R.4

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 11.04.2016, to the 3rd respondent forwarded through the 2nd respondent to grant his pensionary benefits for the period from 04.11.1992 to 03.11.1993 and include the same in his Pension Account No.AG (A&E) PEN P25/12510469/1/R2510469, dated 29.12.2014.

3. The petitioner joined the 1st respondent College in the year 1992 as a Lecturer and worked in leave vacancy. Thereafter, He was appointed as a regular Lecturer in the Department of History from 19.06.1996 and retired as Associate Professor, on attaining superannuation, in May, 2014. Thereafter, He was receiving the pension. His grievance is that the period of service from 04.11.1992 to 03.11.1993 is excluded, though, He is entitled to receive the pension for the said period. In this regard, the petitioner has submitted a representation, on 11.04.2016, but, till date, the same was not considered and hence, the Writ Petition has been filed.

4. Mr.T.Ravidevan, the learned counsel for the petitioner would submit that the petitioner would be satisfied, if the 3rd respondent is directed to consider and dispose of the representation of the petitioner, dated 11.04.2016.

5. Mrs.M.E.Raniselvam, the learned Additional Government Pleader, who takes notice on behalf of the respondents 2 and 3, has got no serious objection in directing the 3rd respondent to consider the representation of the petitioner, dated 11.04.2016 and to pass appropriate orders, on merits and in accordance with law.

6. Considering the above submissions, this Court, without going into the merits of the claim made by the petitioner, directs the 3rd respondent to consider the representation of the petitioner, dated 11.04.2016, and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

7. The Writ Petition is disposed of accordingly. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS IV)
dt. 20.07.2016

corrected as per order
dt. 2.09.2016 in WP.22956/16

Sd/-
Assistant Registrar(CS IV)
dt. 22.09.2016

//True Copy//

Sub Assistant Registrar

paa

To

- 1.The Secretary & Correspondent
N.M.Christian College
Marthandam, Kanyakumari District.
 - 2.Joint Director of Collegiate Education
Tirunelveli Region, Tirunelveli-1.
 - 3.The Director, Department of College
Education College Road, Chennai-600 006.
 - 4.The Principal, Accountant & General (A&E)
Tamil Nadu, Chennai-600 018.
- To be substituted
to order already
despatched
18.08.2016

- + 1 cc to Mr.T. Ravideven, Advocate Sr.37231
- + 1 cc to M/s. S. Bharathirajan, Advocate SR.49942
- + 1 cc to Mr.Government Pleader Sr.37676

W.P.No. 22959 of 2016

RK(CO)
EU 15.08.2016
EU 26.09.16

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