

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2016

CORAM :

THE HONOURABLE MR. JUSTICE R.SURESH KUMAR

W.P.No.16619 of 2010

S.SIVARAJ

...Petitioner

Vs.

- 1 THE GOVERNMENT OF TAMILNADU
REP. BY THE PRINCIPAL SECRETARY TO THE
GOVERNMENT REVENUE DEPARTMENT
FORT ST. GEORGE CHENNAI-9
- 2 THE SPECIAL COMMISSIONER
AND COMMISSIONER OF REVENUE ADMINISTRATION
REVENUE ADMINISTRATION DISASTER MANAGEMENT
AND MITIGATION DEPARTMENT EZHILAGAM
CHEPAUK CHENNAI-5
- 3 THE COLLECTOR
THIRUVALLUR DISTRICT
- 4 THE ACCOUNTANT GENERAL
(A&E) CHENNNAI-18

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to issue orders with regard to sanction of pension to the petitioner as per the communication of the second respondent in Na.Ka.Pani-5(4)/24399/2007 dated 17.9.2009 with effect from the date of my retirement namely 30.6.2008 with all consequential benefits and render justice.

For Petitioner : Mr. P.Rajendran

For R1 to R4 : Mr. P.Sanjay Gandhi AGP

O R D E R

The prayer in the writ petition is for a Writ of Mandamus, directing the first respondent to issue orders with regard to sanction of pension to the petitioner as per the communication of the second respondent in Na.Ka.Pani-5(4)/24399/2007, dated 17.9.2009 with effect from the date of my retirement namely 30.6.2008 with all consequential benefits.

2. Heard both sides.

3. Though this writ petition has been filed with the aforesaid prayer, today, the learned counsel appearing for the petitioner would contend that for getting the service benefits including the service regularisation, the petitioner had given a representation to the second respondent on 10.6.2010. Since the petitioner had retired from service from 30.6.2008, the petitioner would be satisfied if the said representation is directed to be considered, in the light of the G.O.Ms.No.756, Revenue Department dated 17.08.1993 and the letter of the first respondent dated 17.09.2009.

4. Heard the learned Additional Government Pleader also.

5. In view of the said submissions made by the learned counsel for the petitioner, this writ petition is disposed of with a direction to the first respondent to decide the petitioner's representation dated 10.6.2010 based on the letter of the second respondent dated 17.09.2009 and as per the G.O.Ms.No.756, Revenue Department, dated 17.08.1993 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. Since the representation dated 10.6.2010 has been addressed only to the second respondent, the petitioner is directed to send a copy of the representation immediately, to the first respondent for necessary action as indicated above and on receipt of the same, the aforesaid direction can be complied with by the first respondent within a time framed there in.

7. With this direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

kua

To

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+1cc to Mr. P.Rajendran, Advocate, S.R.No. 71476

W.P.No.16619 of 2010

PA (CO)
PSI (28/12/2016)

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