

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.36857 of 2016

N.Ramalingam

... Petitioner

vs.

1.The Additional Secretary/
Commissioner for Revenue
Administration,
Chepauk, Chennai-5.

2. The District Collector,
Villupuram.

3. The Revenue Divisional Officer,
Tindivanam, Villupuram District.

4. The Tahsildar,
Gingee,
Villupuram District.

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the 2nd respondent to claim and disburse (i) Three annual increments for the year 2002 (July), 2003 (July) and 2004 (July) with due dearness allowance and arrears thereof (ii) Encashment of E.L. (iii) Gratuity and (iv) Special Provident Fund by disposing of the petitioner's representation dated 17.02.2016 pursuant to G.O. (D) No.477, Revenue (Services 7(i)) Department, dated 16.12.2013 within a stipulated period of time as prescribed by this Court.

For Petitioner : Mr.K.Shanmugam
For Respondents : Mr.K.Dhananjayan,
Special Government Pleader

ORDER

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

2. The petitioners have come up with the present writ petition for a mandamus, directing the 2nd respondent to claim and disburse (i) Three annual increments for the year 2002 (July), 2003 (July) and 2004 (July) with due dearness allowance and arrears thereof (ii) Encashment of E.L. (iii) Gratuity and (iv) Special Provident Fund by disposing of the petitioner's representation dated 17.02.2016 pursuant to G.O. (D) No.477, Revenue (Services 7(i)) Department, dated 16.12.2013 within a stipulated period of time as prescribed by this Court.

3. According to the petitioner, he was a formerly Village Maniam, Muttathur Village in Villupuram Taluk, now in Vikkiravandi Taluk. Later, he was appointed as Village Administrative Officer on 31.08.2001 in Kallapuliyur Village, Gingee Taluk and retired as Village Administrative Officer on 28.02.2005 from Athiyur Village, Gingee Taluk. Further, according to the petitioner, he is getting a minimum pension of Rs.3050/- p.m. as per the direction of this Court made in W.P.No.3386 of 2011 by order dated 11.02.2011 filed by him. Further, as per G.O.(D) No.477, Revenue (Services 7(i)) Department dated 16.12.2013, the Government of Tamil Nadu has regularised the service of the petitioner as Village Administrative Officer w.e.f. his initial appointment, i.e. from 31.08.2011. Accordingly, the 2nd respondent has to claim and disburse the monetary and terminal benefits due to him. Therefore, the petitioner made several representations to the 2nd respondent, lastly on 17.02.2016. Since the same has not been considered, the petitioner is before this Court with this Writ Petition.

4. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstance of the matter, without expressing any opinion with regard to the merits of the claim made by the petitioner, this Court directs the 2nd respondent to consider the representation of the petitioner dated 17.02.2016 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this Order. It is made clear that this Court has not expressed any opinion regarding the merits of the claim made by the petitioner. It is open for the 2nd respondent to decide the same on merits.

6. With the above direction, the present writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Secretary/
Commissioner for Revenue Administration,
Chepauk, Chennai-5.

2. The District Collector,
Villupuram.

3.The Revenue Divisional Officer,
Tindivanam, Villupuram District.

4. The Tahsildar,
Gingee,
Villupuram District.

- 1 cc to Mr.K. Shanmugam, Advocate Sr.59753
- + 1 cc to Government Pleader Sr.60578
-

W.P.No.36857 of 2016

GJ(CO)
Eu 02.12.16

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