

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.36908 of 2016

R.Francis

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Land and Revenue Department,
Fort St.George, Chennai-600 009.

2. The District Collector,
Salem District, Salem.

3. The Tahsildhar,
Gangavalli Taluk,
Salem District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to release all the retirement benefits after computation, such as gratuity, arrears of salary, leave salary and also arrears, after regularising/computing the promotional avenues available to the petitioner for the services rendered as a Village Administrative Officer under the respondents till his retirement, on the basis of the petitioner's representation, dated 13.10.2016.

For Petitioner : Mr.R.Thanjan

For Respondents : Mr.K.Dhananjayan, Spl.G.P.

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents to release all the retirement benefits after computation, such as gratuity, arrears of salary, leave salary and also arrears, after regularising/computing the promotional avenues available to the petitioner for the services rendered as a Village Administrative Officer under the respondents till his retirement, on the basis of the petitioner's representation, dated 13.10.2016.

2. It is the case of the petitioner that he was appointed as Village Administrative Officer in 1982 and rendered unblemished service, in various Taluks, till his retirement on 30.06.2011. After his retirement, pension alone was granted to him, but he was not granted the other service benefits like gratuity, arrears of salary, leave salary and arrears after regularisation/computing the promotional avenues etc., rendered in the post of Village Administrative Officer. Even after five years from the date of his retirement, inspite of repeated requests by way of representations, he was not granted the above relief and made to run from pillar to post. Lastly, he also made a representation to the Principal Accountant General (AE), Tamil Nadu, Chennai-600 018 on 29.05.2014 and also to the third respondent on 03.09.2015, followed by detailed representation to all the respondents on 13.10.2016. As those representations did not evoke any response, the petitioner has filed this Writ Petition for the relief stated supra.

3. Heard both sides and perused the materials available on record.

4. Taking into consideration the facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondents to consider the said representation of the petitioner, dated 13.10.2016, conduct enquiry, afford an opportunity of personal hearing to the petitioner and other parties, if any, pass appropriate orders and dispose of the said representation, 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 on the merits of the claim of the petitioner and it is for the respondents to decide the same at the time of disposing of the said representation.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

CS

TO

1. The Secretary,
Land and Revenue Department,
Fort St.George, Chennai-600 009.

2. The District Collector,
Salem District, Salem.

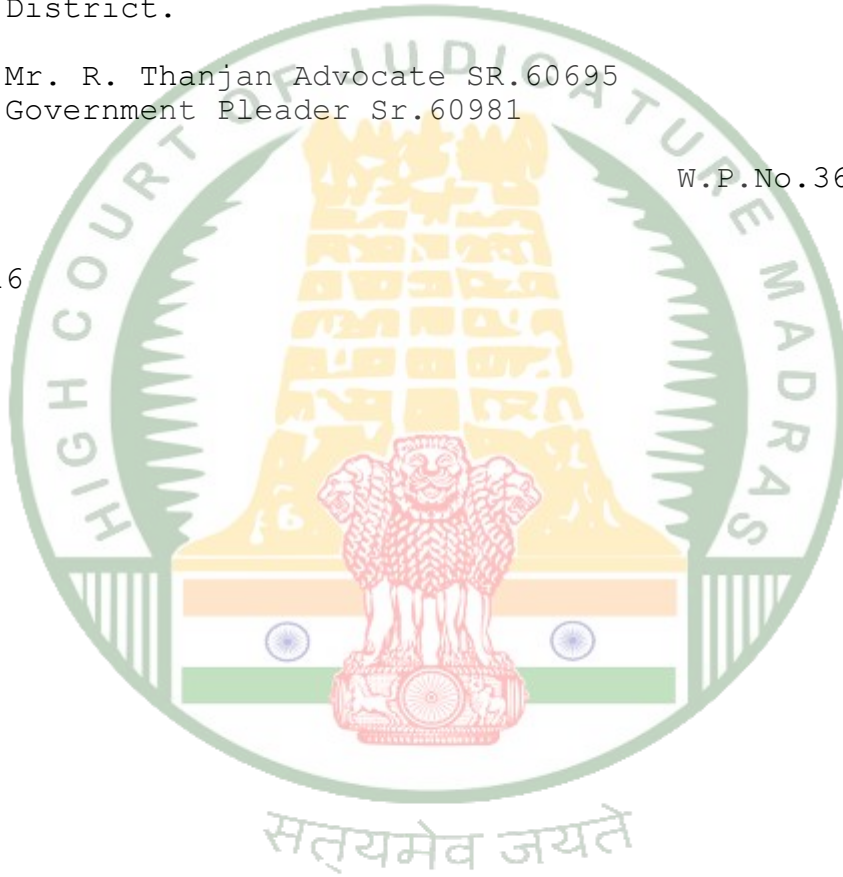
3. The Tahsildhar,
Gangavalli Taluk,
Salem District.

+ 1 cc to Mr. R. Thanjan Advocate SR.60695

+ 1 cc to Government Pleader Sr.60981

W.P.No.36908 of 2016

LRS (CO)
EU 28.11.16



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