



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2016

C O R A M

WEB COPY

THE HONOURABLE Dr.JUSTICE S.VIMALA

Writ Petition (MD) No.10394 of 2016

M.Rajendran .. Petitioner
Vs.

- 1.The Director of Agricultural Marketing &
Agri Business, Guindy, Chennai - 600 032.
- 2.The Deputy Director of Agriculture (Agri Business),
Madurai - 625 020. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents i.e the Director of Agricultural Marketing & Agri Business, Chennai and the Deputy Director of Agriculture (Agri Business) Madurai to send the pension proposals to the Accountant General, Chennai, since the petitioner has been allowed to retire and the disciplinary action pending against him has also been disposed off within a specified time frame, that may be fixed by this Hon'ble Court.

For petitioner	... Mr.S.Visvalingam
For Respondents	... Mr.T.S.Mohammed Mohideen Additional Government Pleader

O R D E R

This writ petition has been filed seeking direction to the respondent to sent the pension proposal to the Accountant General, Chennai.

2.The petitioner was serving as agricultural officer under the control of Deputy Director of Agriculture. He was allowed to retire from service on attaining the age of superannuation on 31.03.2015.

3.At the time of superannuation, disciplinary proceedings were pending against him. He was inflicted with punishment of recovery of Rs.500/- from the pension for a period of two years and also recovery of Rs.1927/- from his DCRG. This order was also implemented and balance of DCRG was paid to the petitioner on 31.03.2016. Therefore, it is contended by the learned counsel for the petitioner that there is no impediment for sending the pension proposal of the petitioner.



4.The learned Additional Government Pleader would submit that the petitioner himself has accepted the punishment and therefore, the order of punishment is to be implemented.

5. It is needless to point out that already from DCRG Rs.1927/- has been deducted and hence, there is no impediment to implement the order of deducting Rs.500/- from the pension for two years and this can be only if the pension proposals are forwarded and the pension payment order is issued by the Accountant General.

6.Under such circumstances, the first respondent is directed to send the pension proposal of the petitioner, to the Accountant General, within a period of four weeks from the date of receipt of a copy of this order.

7.The writ petition is disposed of accordingly. No costs.

Sd/

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To

1.The Director of Agricultural Marketing &
Agri Business, Guindy, Chennai - 600 032.

2.The Deputy Director of Agriculture (Agri Business),
Madurai - 625 020.

+1CC to M/S.S.Visvalingam, Advocate, SR.No. 55833

+1CC to the Special Government Pleader, SR.No. 56126

Writ Petition (MD) No.10394 of 2016

raj2

AM/GSV.PM/18.10.2016/2P/5C