



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2016

CORAM

THE HON'BLE Dr.JUSTICE S.VIMALAW.P(MD) No.19553 of 2016

WEB COPY

Gurusamy Thevar

... Petitioner

-vs-

1.The Secretary to the Government,
Revenue Department,
Fort St.George,
Chennai 600 001.

2.The Accountant General,
O/o. Accountant General,
361, Anna Salai,
Teynampet,
Chennai - 600 018.

3.The District Collector,
Tuticorin District,
Tuticorin.

4.The Tahsildar,
Ottapidaram Taluk,
Ottapidaram,
Tuticorin District.

... Respondents

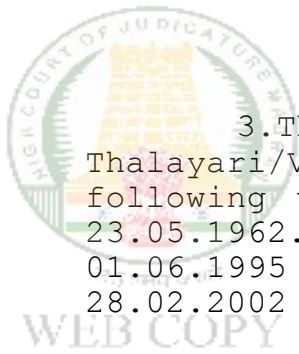
Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent herein to consider petitioner's representation dated 11.08.2016 by refixing petitioner's pension payment on the basis of his entire period of service and to sanction all pension benefits within the time stipulated by this Court.

For Petitioner	: Mr.P.Mahendran
For RR - 1, 3 & 4	: Mrs.S.Bharathi
	Government Advocate
For R - 2	: Mr.P.Gunasekaran

ORDER

This Writ Petition has been filed for the issuance of a writ of mandamus, directing the first respondent to consider the petitioner's representation dated 11.08.2016 by refixing his payment on the basis of his entire period of service and to sanction all pension benefits.

2.Heard the learned counsel appearing for the petitioner; the learned Government Advocate, who takes notice for the respondents 1, 3 and 4 and the learned Standing Counsel for the second respondent. By consent the writ petition itself is taken up for final disposal at the admission stage.



3.The petitioner was initially appointed as a Thalayari/Village Assistant as per proceedings dated 29.05.1962, by following the orders passed by the Sub Collector, Ettayapuram dated 23.05.1962. His service has been regularised with effect from 01.06.1995 by the fourth respondent and he retired from service on 28.02.2002 and all retiral benefits have been paid to the petitioner.

4.The grievance of the petitioner is that his monthly pension was calculated only from the date of regularisation i.e., from 01.06.1995. The petitioner has joined in service on 29.05.1962 and therefore, the respondents should calculate his pension from the date of his appointment. The petitioner has made a detailed representation dated 11.08.2016. But no action has been taken by the respondents. Therefore, the petitioner is before this Court by filing the present writ petition.

5.It is agreeable for the respondents to consider the representation of the petitioner dated 11.08.2016 and to pass orders.

6.Accordingly, the respondents are directed to consider the representation of the petitioner dated 11.08.2016 and to pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar ((Cr1.side)

/True copy/

Sub Assistant Registrar

To

- 1.The Secretary to Government,
Revenue Department, Fort St.George, Chennai 600 001.
- 2.The District Collector, Tuticorin District, Tuticorin.
- 3.The Tahsildar,
Ottapidaram Taluk, Ottapidaram, Tuticorin District.
- 4.The Accountant General
O/o. Accountant General,
361, Anna Salai, Teynampet, Chennai - 600 018.

+1 CC to M/s.P.GUNASEKARAN, Advocate, SR No.60264

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 60553

W.P (MD) No.19553 of 2016
06.10.2016

mj

SH/SS-3:25.10.2016:2P/7C