

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15312 of 2017

Dr.P.D.Venkatakrishnan

... Petitioner

Vs.

1. The State Tamil Nadu,  
Rep by Special Secretary to Government,  
Health and Family Welfare Department,  
Secretariat, Chennai - 600 009.
  2. The Director of Public Health,  
and Preventive Medicine,  
359, Annal Salai, Chennai - 600 006.
  3. The Registrar,  
The Tamil Nadu Dr.M.G.R. Medical University,  
Chennai.
  4. Accountant General,  
Office of the Accountant General,  
Chennai - 600 018.
- .... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to take appropriate action (reconstruction of Service Register) to send the revised pension proposal to the 4<sup>th</sup> respondent based on the permanent and 30 years records available with the respondents relating to the missing service register and subsequently pay all the monetary benefits with nominal interest within a stipulated time.

For Petitioner : Mr.R.Lakshmanan

For Respondents : Mr.T.M.Pappiah for R1, R2 & R4  
Special Government Pleader

O R D E R

The petitioner is a retired Doctor, aged about 78 years. After serving as Doctor in the Directorate of Public Health and Preventive Medicine, retired from service voluntarily on 14.09.1995. Since then, he has been receiving pension vide Pension order No.A826610/PH. But his grievance is that when the Tamil Nadu Government had issued G.O. Ms. No.363 Finance

(PGC) Department, dated 23.08.2013 stating that all those retired between 01.06.1988 and 31.12.1995 are eligible to get the revision of pension, the respondents have not come forward to give the benefit of revision of pension, in spite of repeated representations.

2.The learned counsel for the petitioner also submitted that the petitioner also sent a letter to the first and second respondents stating that he is eligible for getting the revised pension and his service register has to be properly considered. After prolonged and repeated representation, the first respondent /Special Secretary to Government, Health and Family Welfare Department, in his letter No.16396/Z2/2016-1, dated 27.05.2016 has directed as follows:-

"I am directed to enclose a copy of the representation cited along with its enclosures and to request you to locate the Service Register which is said to be lost or otherwise take action to reconstruct the Service Register of the Government Servant so as to fix his pay and increment notionally till the date of his retirement as per Fourth Tamil Nadu Pay Commission Scales of pay and to send proposal to the Accountant General, Chennai - 18 for revising the pending of Dr.P.D.Venkatakrishnan, Deputy Director of Public Health and Preventive Medicine (Retired). The action taken report may be sent to Government immediately."

But till date, neither the case of the petitioner was considered for revision of pension nor the order passed by the Special Secretary to Government, Health & Family Welfare Department dated 27.05.2016 has been complied with. Therefore, a suitable direction may be given, he pleaded.

3.Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondents, after reading the letter dated 27.05.2016 addressed by the first respondent/Special Secretary to Government, Health and Family Welfare Department to the Director of Public Health and Preventive Medicine, Chennai submitted that due care will be given to the said order dated 27.05.2016 and the case of the petitioner will be properly considered within four weeks.

4.Since the petitioner is already aged about 73 years and a retired Doctor, the respondents are hereby directed to look into the matter forthwith and do the needful, within a period of two weeks from the date of receipt of a copy of this order. The respondents shall also disburse all the monetary benefits

within a period of four weeks therefrom. With the above direction, the above writ petition stands allowed. No costs.

Sd/-  
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The Special Secretary to Government,  
Health and Family Welfare Department,  
Secretariat, Chennai- 600 009.
2. The Director of Public Health,  
and Preventive Medicine,  
359, Annal Salai, Chennai - 600 006.
3. The Registrar,  
The Tamil Nadu Dr.M.G.R. Medical University,  
Chennai.
4. The Accountant General,  
O/o the Accountant General,  
Chennai - 600 018.

+1cc to Government Pleader, in sr.no.43104

+1cc to M/s.R.Lakshmanan, Advocate in sr.no.42801

W.P.No.15312 of 2017

SS (CO)  
NR 30/06/2017

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