

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32350 of 2004

M.Ramalinga Reddiar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by Secretary,
Department of Rural Development,
Fort St.George, Chennai 600 009.

2. The Collector,
Villupuram.

3. The Block Development Officer,
Mylam Panchayat Union, Mylam.

4. The Commissioner,
Mylam Panchayat Union, Mylam.

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent in Na.Ka.A1/3169/04 dated 13.09.2004, quash the same and direct the respondents to pay the arrears of the salary determined as payable by the proceedings of the 4th respondent in Na.Ka.A1/892/98 dated 22.03.1999.

For Petitioner : Mr. R.Yashodvardhan

For Respondents 1 and 2 : Mrs.K.Bhuvaneswari,
Government Advocate

For Respondent No.3 : Mr.P.P.Shanmugasundaram

O R D E R

The petitioner was appointed as a Siddha Medical Officer at Rural Health Centre, Agoor Village, by the proceedings of the Commissioner, Mylam Panchayat Union, Villupuram District, dated 14.12.1978. He was paid a consolidated amount of Rs.225/- per month. He was superannuated on 30.09.1993 and relieved from duty by the proceedings of the 4th respondent dated 30.09.1993.

2. The salary payable to medical officer was revised in the time scale of pay by proceedings of the 4th respondent dated 07.08.1998 and the arrears of pay consequent on refixation was determined at Rs.1,34,461/- as per the proceedings of the 3rd respondent dated 22.03.1999. Out of such amount, an amount of Rs.45,027/- was paid and balance was to be paid in two equal instalments. Since the said amount was not paid, after retirement the petitioner made a representation to the Block Development Officer, third respondent, for payment of balance pay. The third respondent passed a negative order, dated 13.09.2004. As against the negative order, the petitioner has filed the present writ petition.

3. When the matter was taken up for hearing, Mr.P.P.Shanmugasundaram, learned counsel for the third respondent has produced a receipt dated 06.01.2006. On a perusal of the receipt, it could be seen that the matter was referred to Mediation and in the mediation an amount of Rs.75,454/- was settled in favour of the petitioner. Hence nothing survives in this writ petition for adjudication. Accordingly the writ petition is dismissed. No costs.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

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To

1. The Secretary,
State of Tamil Nadu,
Department of Rural Development,
Fort St.George, Chennai 600 009.

2. The Collector,
Villupuram.
3. The Block Development Officer,
Mylam Panchayat Union, Mylam.
4. The Commissioner,
Mylam Panchayat Union, Mylam.

+1cc to Mr.P.P.Shanmugasundaram, Advocate Sr. 60855
+1cc to the Government Pleader, Sr. 61706

W.P.No.32350 of 2004

AR(J)
VR(22/09/2017)



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