



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD).No.10404 of 2017

C.Ayyanan

..Petitioner

Vs.

1. The Principal Secretary to Government,
Revenue Department, Secretariat,
Chennai - 600 009.

2. The Principal Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

3. The District Collector,
Madurai District, Madurai.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents i.e., the Principal Secretary to Government, Revenue Department, Chennai, the Principal Secretary and Commissioner of Revenue Administration, Chennai, and the District Collector, Madurai District, Madurai, to consider the petitioner's representation, dated 11.02.2017 regarding counting of his services as Thalayari for the period from 27.06.1979 to 31.05.1995 for the purpose of calculation of pension and to submit proposals to the Accountant General, Chennai for re-fixation of his pension in the light of the orders passed in G.O.No.173 Revenue (Ser 8(1)) Department, dated 29.05.2014 and case law reported in (2003 12 SC cases 192, within a specified time frame that may be fixed by this Court.

For Petitioner

: Mr.S.Visvalingam

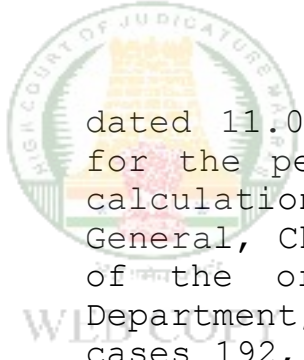
For Respondents

: Mr.C.Selvaraj,

Special Government Pleader.

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents i.e., the Principal Secretary to Government, Revenue Department, Chennai, the Principal Secretary and Commissioner of Revenue Administration, Chennai, and the District Collector, Madurai District, Madurai, to consider the petitioner's representation,



dated 11.02.2017 regarding counting of his services as Thalayari for the period from 27.06.1979 to 31.05.1995 for the purpose of calculation of pension and to submit proposals to the Accountant General, Chennai for re-fixation of his pension in the light of the orders passed in G.O. No.173 Revenue (Ser 8(1)) Department, dated 29.05.2014 and case law reported in (2003) 12 SC cases 192, within a specified time frame that may be fixed by this Court.

2. Heard, Mr.S.Visvalingam, learned counsel appearing for the petitioner and Mr.C.Selvaraj, learned Special Government Pleader appearing for the respondents.

3. Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a Writ of Mandamus to give a positive direction to the respondents, the learned counsel for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to consider the representation of the petitioner, dated 11.02.2017 and dispose of the same on merits within the time stipulated by this Court.

5. Having regard to the limited scope of the prayer that is now sought for by the learned counsel for the petitioner before this Court, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to issue the following direction:-

"The respondents are directed to consider the representation of the petitioner, dated 11.02.2017, dispose of the same by passing appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

6. Accordingly, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AD-II)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1. The Principal Secretary to Government,
Revenue Department, Secretariat,
Chennai - 600 009.

2. The Principal Secretary and
Secretary of Revenue Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.



3. The District Collector,
Madurai District, Madurai.

+1 CC TO MR.S.VISVALINGAM, ADVOCATE, SR NO.58596

+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.58852

pmu

MAS/KP/SAR1:12.06.2017:3P-6C

ORDER MADE IN
W.P.(MD).No.10404 of 2017

Dated :-

06.06.2017



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