



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.13376 of 2017

M.Esakki Adumperumal

... Petitioner

vs.

1.The Principal Accountant General,
O/o. the Principal Accountant General (A& E),
Tamil Nadu, Chennai-600 018.

2.The District Collector,
Tirunelveli District, Tirunelveli.

3.The District Revenue Officer,
Tirunelveli District, Tirunelveli.

4.The Tahsildar,
Sivagiri, Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents herein to take necessary action in payment of annual increment arrears which has to be accrued for the petitioner from 18.09.1973 to 31.08.2005 along with 18% penal interest in view of the representations submitted by the petitioner dated 15.01.2017 and 07.06.2017 within a time limit that may be fixed by this Court.

For Petitioner : M/s.P.Kalaiyarasi Bharathi
For Respondent No.1 : Mr.P.Gunasekaran
For Respondents 2 to4 : Mr.R.Karthikeyan,
Additional Government Pleader

ORDER

By consent of both sides, this writ petition itself is taken up for final disposal.

2.Heard the learned counsel for the petitioner, Mr.P.Gunasekaran, who takes notice for the 1st respondent and Mr.R.Karthikeyan, Additional Government Pleader, who takes notice for the respondents 2 to 4.



3. The petitioner having been appointed as Junior Assistant by the Tamil Nadu Public Service Commission, Group-IV on 18.09.1973, he was posted at Salem Collectorate and he was also given posting at Salem Steel Plant in respect of Land Acquisition Works. After completing the acquisition proceedings, he was posted to various Departments such as Civil Supplies etc. Finally, when the petitioner retired from the service, neither any charge nor recovery proceeding was pending against him. But only due to the departmental transfers, there was some break in service. These break in service period are not caused by the petitioner and 1577 days of loss of pay period was regularized by the third respondent in his proceedings vide Na.Ka.No.A5/46580/2010 dated 07.10.2010. But, the proceedings vide Se.Mu.Order No.A5/10380/2015 on 09.02.2012 of the fourth respondent, has not been implemented till date. Therefore, the petitioner has given representations to the fourth respondent on 27.05.2016, 12.06.2016 and 15.01.2017 and the same were not considered. Hence, the petitioner is before this Court with this writ petition.

4. The fourth respondent is directed to consider the representations of the petitioner in the light of the proceedings dated 09.02.2012 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date receipt of copy of this order.

5. This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(AE)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1. The Principal Accountant General,
O/o. the Principal Accountant General (A& E),
Tamil Nadu, Chennai-600 018.
2. The District Collector, Tirunelveli District, Tirunelveli.
3. The District Revenue Officer,
Tirunelveli District, Tirunelveli.
4. The Tahsildar,
Sivagiri, Tirunelveli District.

+1cc to M/S.P.GUNASEKARAN, Advocate SR.No.66799
+1cc to M/S.P.KALAIYARASI BHARATHI, Advocate SR.No.66491
+1cc to Special Government Pleader, SR.No. 67131
Mrn/RR
MAS/SKN-RSK/SAR1:02.08.2017:2P-8C

W.P (MD) Nos.13376 of 2017
20.07.2017