

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 24.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA**W.P. (MD)No.15381 of 2017**

N.Habeeb Rahiman

... Petitioner

Vs.

1. The District Collector,
Dindigul District, Dindigul -624 004.
2. The Assistant Director of Town Panchayat,
Collectorate Complex,
Dindigul - 624 004.
3. The Executive Officer of Town Panchayat,
Neykarapatti, Palani Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the second and third respondents i.e. the Assistant Director of Town Panchayat, Dindigul and the Executive Officer, Neykarapatti Town Panchayat to send the petitioner's pension proposals to the Accountant General, Chennai as per the specific directions issued by the District Collector, Dindigul in his R.C.No.26024/2016/F6 dated 26.10.2016, Memo No.R.C.14874/2017/F6 dated 11.05.2017 and lastly in R.C.No.4065/2017/F6 dated 05.07.2017 within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam
For Respondents : Mr.D.Muruganantham
Additional Government Pleader

O R D E R

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

2.The petitioner worked as a Junior Assistant in Neykarapatti Town Panchayat, Palani Taluk, Dindigul District and was permitted to retire from service with effect from 30.06.2016, on attaining



the age of superannuation, as per the proceedings of the District Collector, Dindigul, dated 28.06.2016 in R.C.No.1766/2016/Town Panchayat 2.

3. The grievance of the petitioner is that he was allowed to retire from service on 30.06.2016, but the pension proposal has not yet been forwarded to the Accountant General Chennai, by the Executive Director of Town Panchayat, Neykarapatti through the Assistant Director of Town Panchayat, Dindigul. Although, the District Collector, Dindigul in his letter dated 26.10.2016, in Na.Ka.No.26024/2016/F6, has instructed the Executive Officer, Town Panchayat, Neykarapatti to send the pension proposal, followed by another direction to send the pension proposal as per his Memo dated 11.05.2017, followed by a reminder letter dated 05.07.2017 in Na.Ka.No.4065/20017/F6, the respondents 2 and 3 have not cared to do any needful as per the direction given by the District Collector, Dindigul. Therefore, requested a suitable direction may be given to the 2nd and 3rd respondents to send the pension proposal to the Accountant General, Chennai.

4. The learned Additional Government Pleader, appearing for the respondents, on instructions, placing reliance on the proceedings of the third respondent, submitted that steps are being taken to send the pension proposal for Contributory Pension to the Accountant General, Chennai.

5. I could see from the records that the petitioner was permitted to retire from service on as early as on 30.06.2016. Thereafter, the District Collector, Dindigul, in his three communications dated 26.10.2016, 11.05.2017 and 05.07.2017, repeatedly directed the Executive Officer, Town Panchayat, Neykarapatti to report the action taken for sending the pension proposal. In spite of the above three communications issued by the District Collector, Dindigul, it is not known as to why the third respondent namely the Executive Officer, Town Panchayat, Neykarapatti, has not responded and only for the first time, by way of the proceedings dated 08.05.2017, has come forward to consider the sending of pension proposal of the petitioner for contributory pension.

6. The counsel for the petitioner again requested this Court, at least to direct that the pension proposal can be sent as quickly as possible, so that the petitioner will be able to receive the contributory pension.

7. In view of the above, the third respondent is hereby directed to send the pension proposal of the petitioner to the Accountant General, Chennai, as directed by the District Collector, Dindigul forthwith, preferably, within a period of one week from the date of receipt of a copy of this order.



8. With the above direction, this writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar(RTI)

WEB COPY

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Dindigul District, Dindigul -624 004.
- 2.The Assistant Director of Town Panchayat,
Collectorate Complex, Dindigul-624 004.
- 3.The Executive Officer of Town Panchayat,
Neykarapatti, Palani Taluk, Dindigul District.

+1cc to M/S. S.VISVALINGAM, Advocate, SR.No.74737.

+1cc to Special Government Pleader, SR.No.74773.

W.P. (MD) No.15381 of 2017
24.08.2017

dsk/myr

SDS/SKN:RSK/SAR 2/19.09.2017/3P/6C