



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.09.2017

CORAM

THE HONOURABLE MR. JUSTICE T. RAJA

W.P. (MD) Nos. 17245 of 2017

WEB COPY

N. Kandiah Gunasekaran

: Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.

2. The Director (Pension),
259, Anna Salai,
Block 3, II Floor,
Tenampet, Chennai - 6.

3. The Accountant General (A&E),
Tamil Nadu, Chennai - 18.

4. The Tahsildar,
Madurai South Taluk,
Madurai - 20

: Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to dispose of the petitioner's representation dated 26.05.2016 with regard to the arrears of amount liable to be paid from 01.03.2011 and the subsequent reminder dated 30.06.2017 within a time limit fixed by this Court.

For Petitioner

: Mr. PT. S. Narendravasan

For Respondents 1, 2 & 4 : Mr. K. Guru

Additional Government Pleader

For Respondent No. 3

: Mr. P. Gunasekaran

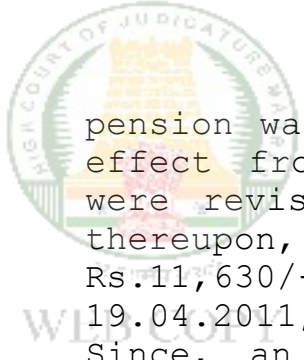
O R D E R

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

2. The petitioner who is a retired Village Administrative Officer, has filed the present writ petition seeking a writ of Mandamus, directing the first respondent to consider his representation dated 26.05.2016, wherein, he has sought for the arrears amount liable to be paid from 01.03.2011 and the subsequent reminder dated 30.06.2017.

<https://hcmiscourt.gov.in/hcmisc/>

3. The grievance of the petitioner appears to be that his



pension was fixed at Rs.4,122/- vide order dated 23.03.2010, with effect from 01.09.2009. Subsequently, the pensionary benefits were revised based on G.O.No.64 FIN (PC) dated 01.06.2009, and thereupon, the petitioner also received the revised pension of Rs.11,630/-. Once again, the fourth respondent vide order dated 19.04.2011, re-fixed the petitioner's pension at Rs.13,030/-. Since, an error was committed by the fourth respondent while fixing the petitioner's revised scale of pay, only a little amount has been paid to the petitioner, whereas, the similarly placed persons received more pension than the petitioner. Hence, the petitioner has given a representation on 26.05.2016, requesting to re-fix the petitioner's revised scale of pay and to pay the difference amount to him from 01.03.2011 onwards.

4.Finally, the second respondent also directed the Revenue Authorities to take necessary steps on the pending representation of the petitioner vide his proceedings dated 01.06.2016. Finding no response, the petitioner send a reminder to the first respondent on 30.06.2017, requesting to place his representation before the first respondent during the Pensioner Grievance Day which was scheduled to be held on 21.07.2017. Since, no subsequent development took place, the petitioner has come to this Court with the present writ petition.

5.Though, there is a communication by the Director (Pension), Chennai on 01.06.2016, to the first respondent / the District Collector, Madurai, no steps have been taken. Hence, the first respondent is hereby directed to consider the representation of the petitioner on the basis of the communication sent by the second respondent dated 01.06.2016. Such exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of with the above direction. No Costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District,
Madurai.

2.The Director (Pension),
259, Anna Salai,
1st Floor,
Tenampet, Chennai - 6.



3.The Accountant General (A&E),
Tamil Nadu, Chennai - 18.

4.The Tahsildar,
Madurai South Taluk,
Madurai - 20

+1cc to Mr.PT.S.NARENDRAVASAN, Advocate, SR.78483

+1cc to M/S.Special Government Pleader, SR.78800

W.P. (MD) No.17245 of 2017
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MR/MRN

KK/SV MMS/SAR /27.09.2017/ 3P- 7C/