

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4513 of 2018

and

W.M.P.No.5553 of 2018

S.Ramachandran

... Petitioner

Versus

1.The Principal Secretary
Government of Tamil Nadu
Revenue Department
Fort St.George
Chennai-600 009.

2.The District Collector
Tiruvannamalai District,
Tiruvannamalai.

3.The Tahsildhar
Cheyyar Taluk
Tiruvannamalai District.

4.The Principal Accountant General (A&E)
Tamil Nadu Circle
361, Anna Salai, Teynampet
Chennai-600 018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 3rd and 4th respondent herein to revise and refix the petitioner's DCRG and pension by counting the services rendered from 10.12.1980 to 31.5.2017 (totally 36 years, 5 months and 22 days of service) as qualifying service and confer all the retirement benefits by considering the petitioner representation dated 27.11.2017 in the light of the order passed in W.P(MD) No.11807 of 2014 dated 14.6.2014 by the Madurai Bench of Madras High Court.

For Petitioner

:: Mr.R.S.Anandan

For Respondents:: M/s.A.Sri Jayanthi
Special Government Pleader for R1 to R3
Mr.V.Vijaya Shankar for R4

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents 3 and 4 to revise and refix the petitioner's DCRG and pension by counting the services rendered from 10.12.1980 to 31.5.2017 (totally 36 years, 5 months and 22 days of service) as qualifying service and confer all the retirement benefits by considering the petitioner representation dated 27.11.2017 in the light of the order passed in W.P(MD) No.11807 of 2014 dated 14.6.2014.

2.The grievance of the writ petitioner is that the entire service rendered by his has not been taken into account as a qualifying service for the purpose of fixing the pension. A portion of the service rendered on permanent basis has not been treated as qualifying service.

3.The learned counsel appearing on behalf of the writ petitioner states that the issue has already been settled and the Government also implemented the orders in respect of the claim of the similarly placed persons. In this regard, the petitioner also submitted a representation to the respondents 2 and 3 on 28.06.2017 and on 27.11.2017. However, the representations submitted have not been considered at all.

4.In this view of the matter and without going into the merits of the matter, the 2nd respondent is directed to consider the representation submitted by the writ petitioner on 28.06.2017 and on 27.11.2017 on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copies of the representation to the respondents and all other relevant documents and the Government orders along with the orders passed in this writ petition.

5.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar(CS-V)

True Copy

Sub-Assistant Registrar

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To

1.The Principal Secretary
Government of Tamil Nadu
Revenue Department
Fort St.George
Chennai-600 009.

2.The District Collector
Tiruvannamalai District,
Thiruvannamalai.

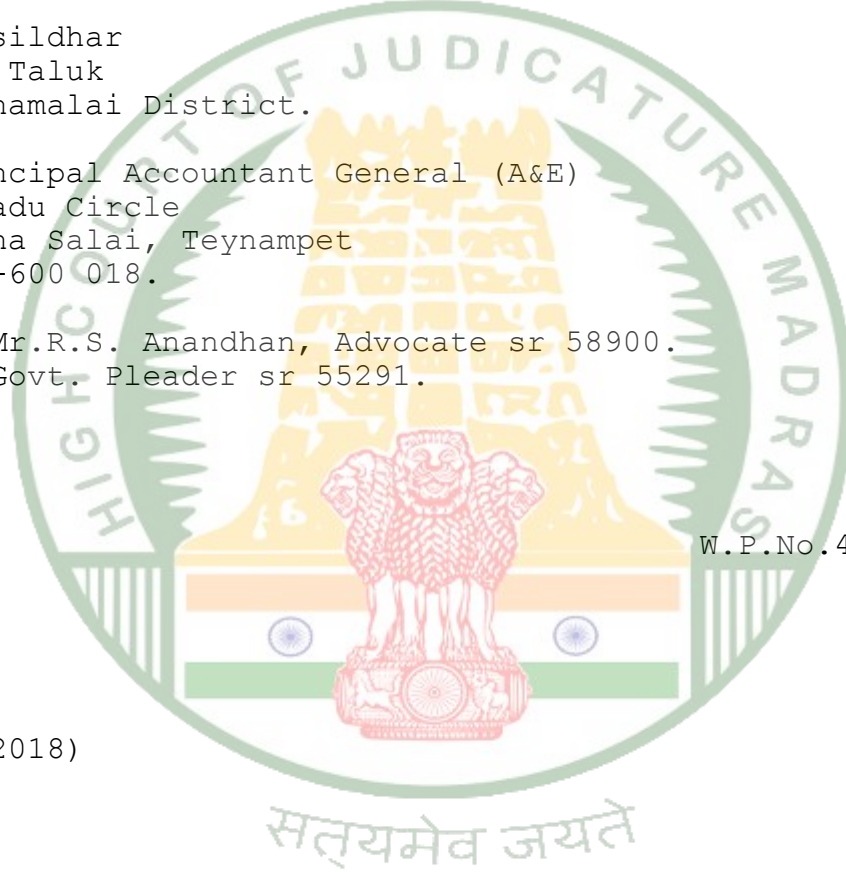
3.The Tahsildhar
Cheyyar Taluk
Tiruvannamalai District.

4.The Principal Accountant General (A&E)
Tamil Nadu Circle
361, Anna Salai, Teynampet
Chennai-600 018.

+1 CC to Mr.R.S. Anandhan, Advocate sr 58900.
+1 cc to Govt. Pleader sr 55291.

W.P.No.4513 of 2018

VGII (CO)
SP(14/09/2018)



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