



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2018

CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.13842 of 2018

S.Elangovan

...Petitioner

Vs.

1) The District Collector,
Madurai District,
Collectorate,
Madurai 625 020

2) The Revenue Divisional Officer,
RDO Office,
Usilampatti,
Madurai District 625 706

3) The Thasildar,
Thasildar Office,
Thirumangalam,
Madurai District 625 532

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to Issue a Writ of Mandamus, directing the respondents to carry out corrections and updates in the petitioner's register and to disburse the monetary benefits by considering his representation dated 07.05.2018.

For Petitioner : Mr.B.Rooban

For Respondents : Mr.D.Muruganantham,
Additional Government Pleader.

O R D E R

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondents to carry out the corrections and updates in the petitioner's register and to disburse the monetary benefits by considering his representation dated 07.05.2018.

2. Heard Mr.B.Rooban, learned counsel appearing for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents.



3. The petitioner was working as a Village Administrative Officer. On superannuation, he was not permitted to retire from service, where, he was retained because of some disciplinary proceedings initiated against him and he is continuously getting subsistence allowance only.

4. The grievance of the petitioner is that even prior to the suspension, certain benefits like Grade Pay and other incremental benefits have not been given to the petitioner and if the same had been given on retrospective effect, the petitioner's pension would be enhanced and accordingly, the subsistence allowance can also be enhanced. Therefore, in this regard, the petitioner gave a representation dated 05.02.2018 and also on 07.05.2018. Therefore, the learned counsel for the petitioner would submit that, if the said representations made by the petitioner are directed to be considered and an order to that effect is passed, the petitioner would be satisfied.

5. I have heard Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents, who would submit that the said representations of the petitioner would be considered on merits and an order to that effect would be passed, within a time frame that may be fixed by this Court.

6. Considering the said submissions made by both sides and taking into account the limited scope of the prayer sought for in this Writ Petition, this Court is inclined to pass the following orders:

"That the second respondent is directed to consider the representations of the petitioner dated 05.02.2018 and 07.05.2018 and pass 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."

7. With this direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

Sub Assistant Registrar (CS-IV)



To

1) The District Collector,
Madurai District,
Collectorate,
Madurai 625 020

2) The Revenue Divisional Officer,
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Usilampatti,
Madurai District 625 706

3) The Thasildar,
Thasildar Office,
Thirumangalam,
Madurai District 625 532

+1 CC To MR.B.ROOBAN, Advocate SR. NO. 70173

+1 CC TO The Special Government Pleader SR.NO.70494

Order made in

W.P. (MD) No.13842 of 2018

28.06.2018

STS

TR/RP/SAR-IV(03.10.2018) 3P 6C