



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2018

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THE HON'BLE Mr.JUSTICE R.SURESH KUMAR

W.P. (MD) No.6931 of 2011

A.Shahul Hameed

... Petitioner

-vs-

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Finance (Pay Cell) Department,
St.George Fort, Chennai.

2. The Director of Social Defence,
Social Defence Department,
No.300, Purasaiwakkam High Road,
Kellis, Chennai-600 010.

3. The Deputy Director of
Social Defence Department,
Regional Office at P.No.11-2-A,
N.M.R. Subburaman Street,
Jawahar Road,
Peria Chokkikulam,
Madurai-2.

4. The Secretary to the
Government of Tamil Nadu,
Social Welfare and Nutrious
Meal Programme Department,
Fort.St.George, Chennai-9.

5.The Honorary Secretary,
Observation Home under the
Madurai Children's Aid Society,
No.164, Kamarajar Salai,
Madurai-625 009.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to pay the petitioner monetary benefits on superannuation by considering the petitioner's representation dated 03.11.2010 in light of the order passed by the Division Bench of this Court in W.A.No.1001 of 1996 dated 17.08.2001.



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For Petitioner : Mr.B.Fazil Kirmani
For M/s.M.Ajmal Khan
For R1 to R4 : Mrs.S.Srimathy
Special Government Pleader
For R5 : Mr.M.Srinivasan

O R D E R

The prayer sought for in this Writ Petition is for a writ of Mandamus, directing the respondents to pay the petitioner's monetary benefits on superannuation by considering the petitioner's representation dated 03.11.2010 in light of the order passed by the Division Bench of this Court in W.A.No.1001 of 1996 dated 17.08.2001.

2.Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents 1 to 4 and the learned counsel appearing for the fifth respondent.

3.Though the petitioner had approached this Court in the year 2011, seeking the aforesaid prayer of Mandamus to consider his representation dated 03.11.2010 with regard to the monetary benefits on his superannuation by following the Division Bench of order of this Court made in W.A.No.1001 of 1996 dated 17.08.2001, all these years, the Writ Petition has been pending before this Court and no effort has been made by the respondents.

In view of the above, this Court is inclined to pass the following order:-

"That the petitioner shall forward a copy of his representation dated 03.11.2010 to the fifth respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the said representation of the petitioner dated 03.11.2010, the fifth respondent shall consider the same and pass orders on merits and in accordance with law by considering the import of the order made in W.A.(MD).No.1011 of 1996 dated 17.08.2001 within a period of eight weeks thereafter. The petitioner along with the said copy of the representation dated 03.11.2010 shall also forward a copy of the order of this Court made in W.A.(MD).No.1011 of 1996 dated 17.08.2001.

4.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(T&P)

/True Copy/



To

1. The Secretary to Government
The State of Tamil Nadu,
Finance (Pay Cell) Department,
St.George Fort, Chennai.
2. The Director of Social Defence,
Social Defence Department,
No.300, Purasaiwakkam High Road,
Kellis, Chennai-600 010.
3. The Deputy Director of
Social Defence Department,
Regional Office at P.No.11-2-A,
N.M.R. Subburaman Street,
Jawahar Road,
Peria Chokkikulam,
Madurai-2.
4. The Secretary to the
Government of Tamil Nadu,
Social Welfare and Nutrious
Meal Programme Department,
Fort.St.George, Chennai-9.

+ 1 cc TO M/S.AJMAL ASSOCIATES , Advocate in SR No. 60848
+ 1 cc TO THE SPECIAL GOVERNMENT PLEADER in SR No. 61065

tsg

AE/KKR/SAR1/16.05.2018/3P/7C

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