

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2019

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4945 of 2019

D.Subramanian

... Petitioner

Vs.

- 1.The Principal Secretary to Government/
Commissioner of Treasuries and Accounts,
3rd Floor, Integrated Office Complex for Finance Department,
Veterinary Hospital Campus,
Anna Salai, Nandanam, Chennai - 600 035.
 - 2.The District Treasury Officer,
Kanchipuram Collectorate Campus,
Vandavasi Road,
Kanchipuram - 631 501.
 - 3.The Sub Treasury Officer,
Tambaram,
122, Gandhi Road, Ethirajpuram,
Tambaram, Chennai - 600 045.
 - 4.The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat,
Fort St.George, Chennai - 600 009.
 - 5.The Secretary to Government,
Revenue and Disaster Management Department,
Secretariat,
Fort St.George, Chennai - 600 009.
 - 6.The Accountant General (A and E)
O/o.The Accountant General (A and E),
Tamil Nadu, No.361,
Anna Salai, Teynampet, Chennai - 600 018.
- (R4 to R6 - impleaded as per Court
order dated 09.07.2019 made in
WMP No.19338 of 2019)
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to

consider the representation of the petitioner dated 24.12.2018 made to the Respondents and pass orders and re-fix the pension of the petitioner as per Serial No.26 of Annexure II, to G.O.Ms.No.313, Finance (Pay Cell) Department, dated 25.10.2017 notionally with effect from 01.01.2016 and with monetary benefits with effect from the present date, within the earliest time period as may be fixed by this Hon'ble Court.

For Petitioner : Ms.S.Varsha

For Respondents: Mr.R.S.Selvam
Government Advocate

R6 : V.Vijay Shankar

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 24.12.2018 made to the respondents and to pass orders and to re-fix the pension of the petitioner as per Serial No.26 of Annexure II, to G.O.Ms.No.313, Finance (Pay Cell) Department, dated 25.10.2017 notionally, with effect from 01.01.2016 and with monetary benefits with effect from the present date, within the earliest time period as may be fixed by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.The case of the petitioner is that the petitioner originally joined service as Lower Division Clerk in the Revenue Department on 27.03.1949 and retired from service on 31.07.1985 as Deputy Collector (being deputed to Milk Federation as Deputy Manager) and has been receiving pension from 01.08.1985. The Government vide G.O.Rt.No.3207, Public (Special A) Department, dated 03.08.2006 included the name of the petitioner in the supplementary panel of District Revenue Officer for the year 1983 published in G.O.Ms.No.202, Public (Special A) Department, dated 15.02.1984 fixing the name of the petitioner in Serial No.7A, notionally with effect from 15.03.1984. Accordingly, the gratuity amount was revised and paid to the petitioner, however, no steps were taken by the respondents to re-fix the pension of the petitioner. In this regard, the petitioner made representation dated 24.12.2018 to the respondents and since no action was taken on the same, has come forward with this writ petition.

4.The learned counsel appearing for the petitioner would submit that it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 24.12.2018 in the light of G.O.Rt.No.3207, Public (Special A) Department, dated 03.08.2006 and to pass appropriate orders, within the specified time frame.

5.The learned Government Advocate appearing for the respondents concede the request made by the learned counsel appearing for the petitioner.

6.Considering the facts and circumstances of the case, I am inclined to issue direction to the respondents to consider the petitioner's representation dated 24.12.2018, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7.The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal Secretary to Government/
Commissioner of Treasuries and Accounts,
3rd Floor, Integrated Office Complex for Finance Department,
Veterinary Hospital Campus,
Anna Salai, Nandanam, Chennai - 600 035.
- 2.The District Treasury Officer,
Kanchipuram Collectorate Campus,
Vandavasi Road,
Kanchipuram - 631 501.
- 3.The Sub Treasury Officer,
Tambaram, 122, Gandhi Road, Ethirajpuram,
Tambaram, Chennai - 600 045.
- 4.The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat,
Fort St.George, Chennai - 600 009.

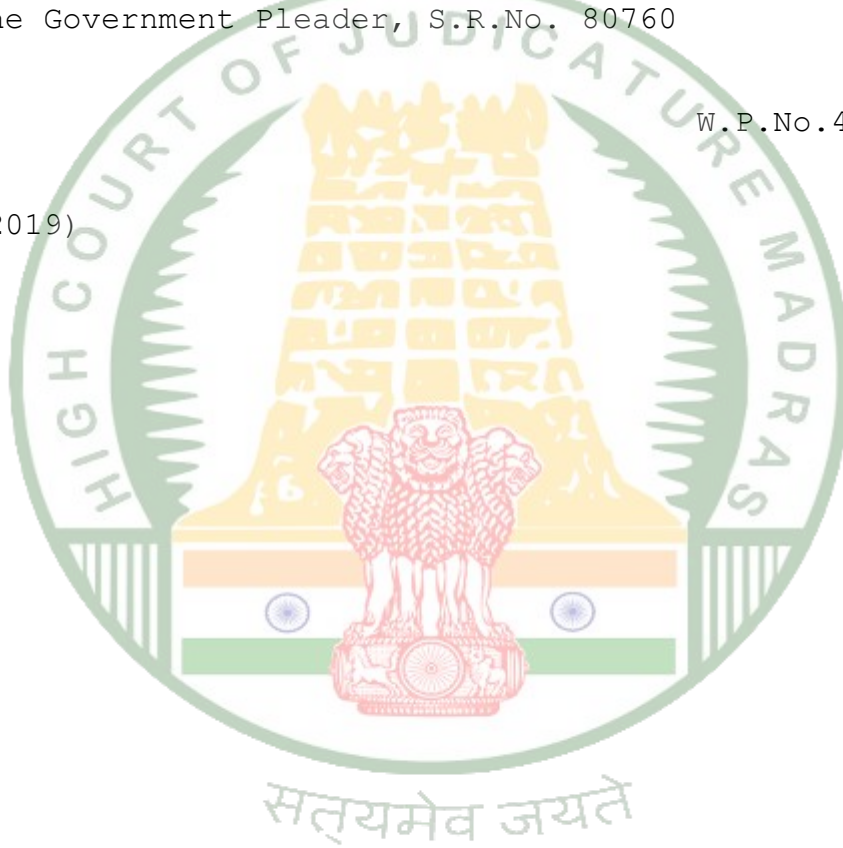
5.The Secretary to Government,
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Fort St.George, Chennai - 600 009.

6.The Accountant General (A and E)
O/o.The Accountant General(A and E),
Tamil Nadu, No.361,
Anna Salai, Teynampet, Chennai - 600 018.

+2cc to Mr.S.Varsha, Advocate, S.R.No. 80537
+1cc to Mr.V.Vijay Shankar, Advocate, S.R.No. 80483
+1cc to the Government Pleader, S.R.No. 80760

W.P.No.4945 of 2019

NR(CO)
GN(31/10/2019)



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