

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.10.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.21246 of 2019

V. Kuppusamy,
Son of Venkiya Gounder
Village Administrative Officer (Retd)
Erumiyampatty
Pappireddipatti Taluk
Dharmapuri District

...Petitioner

vs

1. The State of Tamil Nadu,
Represented by its Secretary,
Revenue Department,
St. George fort,
Chennai- 600 009.

2. The District Collector,
Dharmapuri,
Dharmapuri District.

3. The Revenue Divisional Officer,
Harur Taluk
Dharmapuri District.

4. The Tahsildar,
Pappireddipatti Taluk,
Dharmapuri District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ, direction or order in the nature of a writ of Mandamus, or any other appropriate writ or order or direction, in the nature of writ, directing the respondents to sanction and pay the minimum pension payable to the petitioner from 30.06.2009 in the category of Village Administrative Officer, in accordance with G.O.Ms.No.158 Revenue (Service-8(2) Department dated 08.04.2015, with all consequential benefits of arrears and within a time to be stipulated by this Court.

For Petitioner :Mr. Ganesan P
For Respondents :Mr. A.N. Thambidurai, Spl.GP.

O R D E R

The petitioner filed this Writ Petition seeking direction to the respondents to sanction and pay the minimum pension to the petitioner from 30.06.2009 in the category of Village Administrative Officer, in accordance with G.O.Ms.No.158 Revenue (Service-8(2) Department dated 08.04.2015, with all consequential benefits of arrears within a stipulated time.

2. The case of the petitioner is that the petitioner was temporarily appointed as Village Munisif in the year 1975. The petitioner service was being pensable one due to abolition of post of Village Officers by Tamil Nadu Village Ordinance 1980. The petitioner was given regular appointment as Village Administrative Officer and posted at Aladiyur Village Ambasamuthraam, Thirunelveli District in the year 2001. The petitioner got transfer and posted to native district of Dharmapuri in the year 2005. Thereafter the petitioner was served a charge memo under rule 17 (b) in the year 2009 and in the meantime the petitioner was superannuated on 30.06.2009. Thereafter on 09.06.2015, the Commissioner of Revenue Administrative pass final order of cut in pension Rs.1000/- per month for a period of one year. Thereafter the petitioner made request for grant of minimum pension and the same was considered by the 4th respondent and sent the proposal to the 3rd respondent with a request to sanction minimum pension to the petitioner as per the government order as in force on 07.08.2015 but till date it was not considered by the 3rd respondent. Hence the present Writ Petition.

3. Mr. Ganesan, learned counsel for the petitioner would submit that it would be suffice to issue direction to the 3rd respondent to comply with the pension proposal sent by the 4th respondent on 07.08.2015 within a reasonable time and pass order on merits and in accordance with law.

4. Mr. A.N. Thambidurai, Special Government Pleader for the respondents agreed to dispose of the pension proposal sent by the 4th respondent on 07.08.2015 within a reasonable time.

5. Considering the above facts and circumstances and the limited request made by the petitioner, I am inclined

to issue direction to the 3rd respondent to consider the pension proposal sent by the 4th respondent on 07.08.2015 and pass appropriate orders on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mrn

To

1. The Secretary,
Revenue Department,
St. George fort,
Chennai- 600 009.

2. The District Collector,
Dharmapuri,
Dharmapuri District.

3. The Revenue Divisional Officer,
Harur Taluk
Dharmapuri District.

4. The Tahsildar,
Pappireddipatti Taluk,
Dharmapuri District

+1cc to Mr.P.Ganesan , Advocate SR.No. 89368

+1 cc to Government Pleader Sr.No. 89951

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A.SK(20/11/2019)

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