

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31201 of 2019
and
W.M.P.No.31340 of 2019

V.T.Baskarababu ... Petitioner

vs

- 1.The Accountant General,
Tamil Nadu Circle, Teynampet,
Chennai-18.
- 2.The Special Deputy Collector,
Tamil Nadu Urban Development Project,
Highways, Land Acquisition,
Alandhur, Chennai-16. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to pass orders, directions, writs in particular a Writ of Mandamus, directing the second respondent to disburse the arrears of the revised payscale to the petitioner for the period from 17.11.2006 to 14.06.2018 after deducting the subsistence allowance already paid to the petitioner consequently direct the second respondent to send the petitioner's pension proposal to the first respondent through the District Revenue Officer, Tiruvallur.

For Petitioner : Mr. C.Prakasam
For Respondents : Mr.V.Vijay Shankar
Senior counsel for R1
Mr.R.S.Selvam
Government Advocate for R2

O R D E R

The case of the petitioner is that he was appointed as Assistant in the Revenue Department in the year 1989, then he was promoted as Tahsildar in Tiruvallur District in the year 2003. At that time that he was falsely implicated in the

Vigilance and Anti-Corruption Cases, so he was suspended from service. After completing the Criminal Proceedings, the petitioner was reinstated into service as Special Tahsildar and he retired from service on 31.08.2019. Then, the petitioner pension proposals were made ready by the second respondent's officials and the same was forwarded to the first respondent. The first respondent returned back the said pension proposals to the second respondent by raising clarification. After receipt of the communication the second respondent regulated petitioner pay scale from 01.07.2006 to 31.08.2019. In this connection the second respondent passed orders in his proceedings R.C.No.357/2019/A2 dated 10.06.2019, whereby the period of suspension was treated as duty period i.e from 17.11.2006 to 14.06.2018, even though, the first respondent was not in position to sanction pension. Therefore, he made representation to the second respondent. Till date his representation has not been considered by the second respondent. Hence, the present writ petition was filed.

2. The learned counsel appearing for the petitioner would submit that it would be suffice to issue directions to the respondents to dispose of the representation dated 23.09.2019 and pass orders.

3. Mr.Vijay Shankar, learned Senior counsel appearing for the first respondent and Mr.R.S.Selvam learned Government Advocate appearing for the second respondent conceded to the limited request made by the learned counsel for the petitioner.

4. Without expressing any opinion on merits of the case and considering the limited request made by the learned counsel for the petitioner, I am inclined to issue directions to the respondents to consider the representation dated 23.09.2019 submitted by the petitioner and pass orders within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy//

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Sub Assistant Registrar

tta

To

1.The Accountant General,
Tamil Nadu Circle, Teynampet,
Chennai-18.

2.The Special Deputy Collector,
Tamil Nadu Urban Development Project,
Highways, Land Acquisition,
Alandhur, Chennai-16.

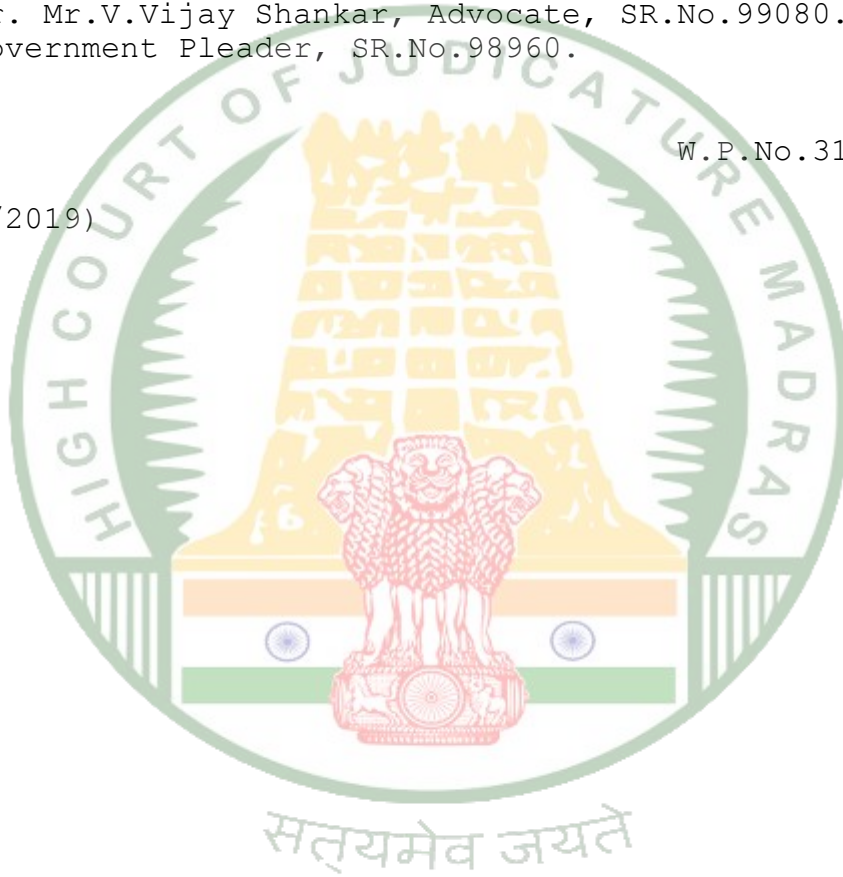
+1cc to Mr.C.Prakasam, Advocate, SR.No.99069.

+1cc to Mr. Mr.V.Vijay Shankar, Advocate, SR.No.99080.

+1cc to Government Pleader, SR.No.98960.

W.P.No.31201 of 2019

CP (CO)
CSR(31/12/2019)



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