

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2019

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.34450 of 2018
and W.M.P.No.40017 of 2018

K.H.Ramakrishnan ... Petitioner

Vs

1.The Secretary to Government
Municipal Administration and Water Supply
Department, Secretariat, Fort St.George
Chennai.

2.The Managing Director, Tamil Nadu Water
Supply and Drainage Board, 31, Kamarajar
Salai, Chepauk, Chennai 600 005.

3.Superintending Engineer, Tamil Nadu Water
Supply and Drainage Board, Coimbatore-Nilgiris
Circle, No.4, First Floor, TWAD Campus
Vilangurichi Road, Peelamedu,
Coimbatore-641 004.

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first respondent to pass an order by granting concurrence to the retirement of the petitioner under Rule 9 of the Tamil Nadu Pension Rules and consequently direct the second respondent to pass pension order to the petitioner and release all other terminal benefits of the petitioner

For Petitioner : Mr.C.Santhosh Kumar

For Respondent : Mr.A.N.Thambidurai
Special Government Pleader - for R1
Mr.N.Ramesh,
Government Advocate - for R2 & R3

O R D E R

In respect of a criminal case filed under the Prevention of Corruption Act, the petitioner was issued with a charge memo dated 12.01.2002. Pursuant to the same, he was imposed with a

punishment of withholding of increment for a period of one year without cumulative effect. Aggrieved by the said punishment, the petitioner preferred a Review Petition before the second respondent and the same was rejected. The departmental proceedings initiated against the petitioner was completed and the petitioner was permitted to retire on 31.05.2018. However, the terminal benefits of the petitioner has not been settled and the petitioner approached the respondents by way of a representations, which were not considered. The last representation was dated 19.11.2018, which also did not evoke any response. Hence, the present writ petition is filed seeking appropriate relief.

2. Mr.Mr.A.N.Thambidurai, learned Special Government Pleader takes notice for the first respondent and Mr.N.Ramesh, Government Advocate takes notice for the respondents 2 and 3. Heard the learned counsel on either side and perused the materials placed on record.

3. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the respondents to consider the representation of the petitioner and pass orders on the same within a particular time frame.

4. In the above circumstances, this writ petition is disposed of directing the respondent to consider the representation of the petitioner dated 19.11.2018 and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kst

To

1.The Secretary to Government
Municipal Administration and Water Supply
Department, Secretariat, Fort St.George
Chennai.

2.The Managing Director, Tamil Nadu Water
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+2cc to Mr.C.Santhoshkumar, Advocate Sr.1639
+1cc to the Government Pleader Sr.1912

W.P.No.34450 of 2018

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srg 08/02/2019