

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 09.04.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.8473 of 2019**

M.Velmayil

... Petitioner

Vs.

1.The District Collector,
Office of Collectorate,
(Development Section),
Tirunelveli - 9.

2.The Block Development Officer (Village Panchayat),
Valliyoar Panchayat Union,
Valliyoar, Tirunelveli District.

3.The Panchayat Secretary,
Vepilankulam Panchayat,
Valliyoar,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the second respondent to grant the petitioner, the enhanced Dearness Allowance as per the proceedings of the first respondent in Na.1/19295/2009, dated 28.07.2009 on the basis of the petitioner's representation, dated 13.10.2014 within the time stipulated by this Court.

For Petitioner : Mr.A.S.Vaigunth

For Respondents : Mr.V.Anand,
Government Advocate.**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the second respondent to grant enhanced Dearness Allowance to the petitioner, as per the proceedings of the first respondent in Na.1/19295/2009, dated 28.07.2009, on the basis of his representation, dated 13.10.2014 within the time stipulated by this Court.



2. Heard Mr.A.S.Vaigunth, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate, who takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

WEB COPY

3. The grievance of the petitioner is that though he retired from service on attaining the age of superannuation on 31.06.2014 and as per the proceedings of the first respondent, dated 28.07.2009, the second respondent has not granted the enhanced amount of the Dearness Allowance. Hence, the petitioner relying on the proceedings of the first respondent, dated 28.07.2009, submitted a representation to the second respondent on 13.10.2014 requesting to disburse the enhanced amount of Dearness Allowance. Since the same has not been considered so far, the petitioner has filed the present Writ petition.

4. The learned Government Advocate appearing for the respondents submitted that the representation of the petitioner would be taken into consideration by the second respondent on merits.

5. In view of the above, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner, dated 13.10.2014 seeking enhanced Dearness Allowance on the basis of the proceedings of the first respondent, dated 28.07.2009 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

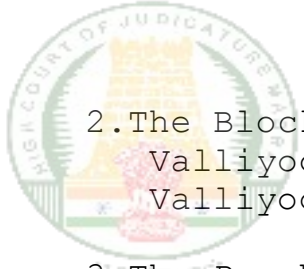
// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Collector,
Office of Collectorate,
(Development Section),

<https://hcservices.courts.gov.in/services/> 9.



2.The Block Development Officer (Village Panchayat),
Valliyoor Panchayat Union,
Valliyoor, Tirunelveli District.

3.The Panchayat Secretary,
Vepilankulam Panchayat,
Valliyoor, Tirunelveli District.

+1 CC to M/s.A.S.VAIGUNTH, Advocate(SR-60144[F] dated
10/04/2019)

+1 CC to M/s.SPL GP (SR-60619[F] dated 11/04/2019)

PS

W.P (MD) No.8473 of 2019
09.04.2019

KM/(02.05.2019) 3P 6C