



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

W.P(MD)No.15277 of 2015

K.N.J.Mohamed Iyubkhan

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
represented by the Secretary to Government,
Finance Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The State of Tamil Nadu,
represented by the under Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George, Chennai - 600 009.
- 3.The Director of Public Health and Preventive Medicine,
No.359, Annasalai,
DMS Complex, Teynampet, Chennai - 600 006.
- 4.The Deputy Director,
Health Services, Collectorate Campus,
Sivagangai, Sivagangai District.
- 5.The Principal Accountant General,
(Accounts and Entitlements),
No.361, Annasalai,
Chennai - 600 018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first and second respondents to issue ratification orders for stepping up of the pay of petitioner with effect from 19.04.1996 on par with his Junior and consequently, to direct the respondent No.5 to re-fix the pension with arrears of pension with within the time stipulated by this Court.

For Petitioner
For Respondents

: Mr.T.Lajapathi Roy
: Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

ORDER

Seeking for a direction to the respondents to ratify the petitioner's pay and to re-fix the pension with arrears of pension, the petition has been filed.



2. Heard the learned Counsel appearing on both sides and perused the materials on records.

3. It is the case of the petitioner that after his retirement, necessary pension proposal has been sent to the respondent No.5 for sanction of retirement benefits. After several round of communications, the third respondent requested the first respondent to issue ratification orders for stepping up of the petitioner's pay and to re-fix the pension. Since there is no progress thereafter, the petitioner is before this Court.

4. The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the proposal for ratification would be considered on merits within the time stipulated by this Court.

5. Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the first respondent to pass appropriate orders on the proposal sent by the third respondent, dated 28.08.2014, on merits and in accordance with law, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar

Cmr

TO

1. The Secretary to Government,
Finance Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Under Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St. George, Chennai - 600 009.

3. The Director of Public Health and Preventive Medicine,
<https://hcservices.ecourts.gov.in/hcservices/>
No. 359, Annasalai,
DMS Complex, Teynampet, Chennai - 600 006.



4.The Deputy Director,
Health Services, Collectorate Campus,
Sivagangai, Sivagangai District.

5.The Principal Accountant General,
(Accounts and Entitlements),
No.361, Annasalai,
Chennai - 600 018.

+1CC to Mr.T.LAJAPATHI ROY , Advocate SR.No. 53498.

+1CC to The Special Government Pleader SR.No. 53242

ORDER MADE IN
W.P (MD) No.15277 of 2015

11.03.2019

DS/ /SAR- (01.04.2019) 3P 8C