



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

WP (MD) No.16406 of 2019

K.Narayanasamy

... Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The Commissioner of Panchayat Union,
Bodinayakkanoor Union,
Bodinayakkanoor,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent ie. The District Collector, Theni for passing appropriate orders on the petitioner's representation dated 08.07.2018 regarding sending pension proposals to the Director of Local Fund Audit, Chennai within a specified time frame that may be fixed by this Court.

For Petitioner : Mr. S. Visvalingam

For Respondents : Mr.M. Pandiarajan

Additional Government Pleader

ORDER

This Writ Petition has been filed for issuing a direction to the first respondent i.e., the District Collector, Theni, for passing appropriate orders on the petitioner's representation, dated 08.07.2018 regarding sending pension proposals to the Director of Local Fund Audit, Chennai within the time frame to be fixed by this Court.

2. According to the petitioner, he served as a Office Assistant in the office of the 2nd respondent and he retired from service on attaining the age of superannuation on 30.06.2018. Because of the audit objection of the year 2013 - 2014, the retirement benefits of the petitioner has not been settled to him.



Hence, the petitioner has made a representation, dated 08.07.2018 to the respondents, but, the same has not been considered by them so far. In such circumstances, the petitioner has filed the present Writ Petition before this Court.

3. Though this petition has been filed to give a positive direction to the 1st respondent, the learned counsel appearing for the petitioner submits that the petitioner will be satisfied, if a direction is issued to the 1st respondent, to consider the representation of the petitioner, dated 08.07.2018.

4. The learned Additional Government Pleader appearing for the respondents would submit that the second respondent has submitted a proposal to the first respondent to regularize the duty period of the petitioner while he was working as a Office Assistant in the respondent Department and same is pending.

5. The learned additional Government Pleader appearing for the respondents submitted that the representation of the petitioner will be considered by the 1st respondent on merits within a specified time that may be fixed by this Court.

6. Considering the submissions made by the learned counsel appearing on either side, this Court, without expressing any opinion on the merits of the petitioner's case, directs the 1st respondent to consider the representation of the petitioner, dated 08.07.2018 and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, in any event not later than twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
Theni District,
Theni.

2.The Commissioner of Panchayat Union,
Bodinayakkanoor Union,
Bodinayakkanoor,
Theni District.



+1 CC to M/s.S.VISVALINGAM, Advocate (SR-78921[F] dated
31/07/2019)

+1 CC to M/s.SPL GP (SR-79299[F] dated 01/08/2019)

WEB COPY

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31.07.2019

trp
JM/29.08.2019/3P/5C