



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No. 6551 of 2011
and
M.P. (MD) .No.1 of 2011

Dr.K.Muthu Manthiram

... Petitioner

Vs.

1.The Block Development Officer,
Alankulam Panchayat Union,
Alankulam,
Tirunelveli District.

2.The Assistant Director-III-
Local Fund Audit,
Sivankovil North Mada Street,
Palayamkottai,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the first respondent dated 30.11.2010 issued in the reference in 91/4015/2010 and quash the same and direct the respondents to revise the pension of the petitioner taking into consideration the service of the petitioner in Panchayat Union from 07.04.1977 to 01.05.1985 as a qualifying service and pay the consequential arrears arising therein.

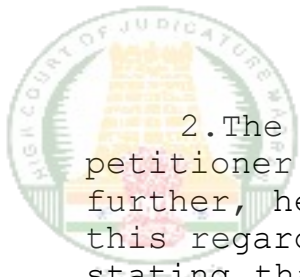
For Petitioner : Mr.K.Muthumalai

For R2 : Mr.M.Jeyakumar
Additional Government Pleader

For R1 : Mr.R.Velmurugan

ORDER

The grievance of the writ petitioner is that the claim
<https://hcservices.ecourt.gov.in/hcservices> calculation of services rendered by him as Assistant
Medical Officer(Siddha) is not considered.



2.The order impugned dated 30.11.2010 states that the writ petitioner was not relieved from Alankulam Panchayat Union and further, he had not received the salary from Alankulam Panchayat. In this regard, the Block Development Officer, returned the proposal by stating that in the absence of such particulars, he may not be in a position to submit the complete proposal for the purpose of considering the claim of the writ petitioner.

3.This Court is of the considered opinion that for the purpose of claiming pensionary benefits, the petitioner has to submit all the particulars regarding his service enabling the competent authority to submit the proposal in complete form. In the present case, it is stated that the writ petitioner was relieved from the post from Alankulam Panchayat Union and those particulars were also not submitted, thus, this Court is inclined to direct the writ petitioner to submit all the required particulars as well as the documents to the competent authority enabling them to submit the proposal in complete form so as to consider the claim of the writ petitioner for counting of his earlier service for the purpose of grant of pension. Accordingly, the respondents are directed to consider the case of the writ petitioner in the event of receiving of the relevant particulars and the documents from the writ petitioner for the purpose of submitting the proposal to the competent authority to redress the grievance of the writ petitioner.

4.With these directions, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

/ True Copy /

Sub Assistant Registrar (CS-)

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To

1.The Block Development Officer,
Alankulam Panchayat Union,
Alankulam, Tirunelveli District.

2.The Assistant Director-III-
Local Fund Audit, Sivankovil North Mada Street,
Palayamkottai, Tirunelveli District.

+1 CC to M/s.K.MUTHUMALAI, Advocate (SR-69049[F] dated 17/06/2019)
+1 CC to M/s.R.VELMURUGAN, Advocate (SR-69106[F] dated 17/06/2019)
+1 CC to M/s.SPL GP (SR-69267[F] dated 17/06/2019)

W.P. (MD) No.6551 of 2011

14.06.2019