

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

W.P.No.592 of 2020

L.Chandrasekaran

... Petitioner

Vs

1.The Additional Director,
Survey & Land Records,
Chepauk, Chennai 600 005.

2.The Regional Joint Director,
Survey & Land Records,
Coimbatore – 18.

3.The Assistant Director,
Survey, Land Records,
Erode, Erode District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second and third respondents to forthwith settle the retirement benefits including monthly pension and its arrears with effect from 01.03.2017 within the stipulated time.

For Petitioner : Mr.K.Raja
For Respondent : Mr.P.V.Selvakumar
Additional Government Pleader

ORDER

This Writ Petition has been filed for the Writ of Mandamus directing the second and third respondents to settle the retirement benefits including monthly pension and its arrears w.e.f. 01.03.2017 within the time frame.

2. The case of the petitioner is that he joined as Field Assistant in the Department of Survey and Land Records in the year 1982. He was about to retire from service in the year 2017. In the mean time, a charge memo came to be issued against the petitioner in the year 2016 and petitioner also gave his explanation. An Enquiry Officer was appointed and based on the enquiry report and the explanation given by the petitioner, the petitioner was dismissed from service by the proceedings of the third respondent dated 28.02.2017. This order has been confirmed in appeal by the second respondent by order dated 09.08.2018. Thereafter, the petitioner has again preferred a further appeal before the first respondent and the same is pending. In the mean time, the first respondent has passed an order dated 15.11.2019 revoking the charge memo and the order of dismissal. By virtue

of this development, the petitioner is seeking for retirement benefits. The petitioner made representation on 04.12.2019, in this regard, to the second and third respondents. Since the representation did not evoke any response, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.K.Raja, learned counsel appearing on behalf of the petitioner and Mr.P.V.Selvakumar, learned Additional Government Pleader, appearing on behalf of the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this Writ Petition, there shall be a direction to the second and third respondents to consider the representation made by the petitioner on 04.12.2019 and pass appropriate orders within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the second and third respondents along with a copy of the representation dated 04.12.2019 and a copy of this order.

N.ANAND VENKATESH. J.,

bkn

5. This Writ Petition is disposed of with the above directions. No costs.

08.01.2020

Index:Yes/No
Speaking order / Non speaking order

bkn

To

1.The Additional Director,
Survey & Land Records,
Chepauk, Chennai 600 005.

2.The Regional Joint Director,
Survey & Land Records,
Coimbatore – 18.

3.The Assistant Director,
Survey, Land Records,
Erode, Erode District.

WEB COPY

W.P.No.592 of 2020