

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :03.02.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
W.P.No.2382 of 2020

K.Padmini

... Petitioner

Vs.

1. The Collector of Thiruvallur District,
Collectorate,
Thiruvallur 602 001.
2. The Revenue Divisional Officer,
having office at Collectorate,
Thiruvallur 602 001.
3. The Tahsildar,
Tahsildar's Office,
Thiruvallur Taluk, Thiruvallur. .. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to work out and settle all the service and retirement benefits as per the service rules to the petitioner who was employed as Village Administrative Officer, Puliur Village, Thiruvallur Taluk and District and invalidated from service on medical grounds and as recommended by medical board with effect from 22.05.2014 as per the proceeding of Revenue Divisional Officer vide R.C.No.927/2012/A dated 22.05.2014

For Petitioner

: Mr.N.Jayabalan

For Respondents

: Mr.P.V.Selvakumar
Additional Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to settle the service and retirement benefits of the petitioner who was invalidated from service on Medical grounds in the year 2014.

2. The case of the petitioner is that she was appointed as a Village Administrative Officer in the year 1984. As the petitioner suffered a Paralytic attack in the year 2012, she underwent treatment and was on continuous Medical Leave. She was thereafter directed to appear before the Medical Board, which recommended for the invalidation of service of the petitioner and pursuant to the same, the petitioner was invalidated from service on medical grounds. The recommendation was accepted by the Government and by order dated 22.05.2014, the service of the petitioner was invalidated with immediate effect. It was also ordered that the petitioner's pension will be sanctioned in accordance with Rule 36(1) of the Tamil Nadu Pension Rules, 1978. The grievance of the petitioner is that till date, the service and retirement benefits of the petitioner has not been settled, in spite of several representations made by the petitioner including the issuance of legal notice to the respondents. Left with no alternative, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and also of the fact that the claim made by the petitioner for settlement of the service and retirement benefits is pending for the last six years, there shall be a direction to the respondents to consider the representations made by the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order. In the event the petitioner being entitled for the service and retirement benefits, the same shall also be settled in favour of the petitioner 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 respondents along with a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Collector of Thiruvallur District,
Collectorate,
Thiruvallur 602 001.
2. The Revenue Divisional Officer,
having office at Collectorate,
Thiruvallur 602 001.
3. The Tahsildar,
Tahsildar's Office,
Thiruvallur Taluk, Thiruvallur.

+1 cc to Government Pleader Sr.No.8572

+1cc to Mr.N.Jayabalan , Advocate SR.No. 8150

W.P.No.2382 of 2020

A.SK(10/02/2020)



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