

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.02.2020
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
W.P No.4097 of 2020

C.Munusamy

Petitioner

vs.

1. The Government of Tamil Nadu
Rep. by its Secretary,
Environment and Forest Department,
Fort St. George,
Chennai - 600 009.
2. The Accountant General of Tamil Nadu,
(Accounts and Entitlements)
No.361, Anna Salai,
Teynampet,
Chennai - 600 018.
3. The Principal Chief Conservator of Forests
Panagal Building,
Saidapet, Chennai - 600 015.
4. The District Forest Officer,
Kanchipuram District,
Kanchipuram.
5. The District Treasury Officer,
Thiruvallur District,
Thiruvallur.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 5th respondent to carry out the corrections in the pension payment order and the connected records of the petitioner based on the order passed by the 2nd respondent dated 06.08.2019 made in A.G. (A&E)/PEN.21/2/12122058, forthwith and to make the payment entitled by the petitioner within a stipulated time.

For Petitioner : Mr.C.Prabakaran

For Respondents: Mr.M.Elumalai
Government Advocate for R1, R3 and R4

Mr.M.Vijayashankar for R2

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the 5th respondent to carry out the corrections in the pension payment order and the connected records of the petitioner based on the order passed by the 2nd respondent on 06.08.2019.

2.The case of the petitioner is that he was working in the post of Plot Watcher in the Forest Department. He retired from service with effect from 28.05.2013. According to the petitioner, the pension proposal and the pension pay order was issued only on 23.03.2018 and the petitioner found that it was not properly fixed. The petitioner thereafter, made a representation to the 2nd respondent in this regard. The 2nd respondent, on consideration of the representation and the other records, through his proceedings dated 20.11.2019, made the necessary corrections and forwarded the same to the 5th respondent.

3.The grievance of the petitioner is that, the 5th respondent is yet to act upon the proceedings of the 2nd respondent and as a result of the same, the necessary corrections have not been carried out in the pension payment order and other records of the petitioner. Aggrieved by the same, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.C.Prabakaran, learned counsel appearing on behalf of the petitioner, Mr.M.Elumalai, learned Government Advocate appearing on behalf of the respondents 1, 3 and 4 and Mr.M.Vijayashankar, learned Counsel appearing on behalf of the 2nd respondent.

5.Taking into consideration the facts and circumstances of the case and also of the fact that the 2nd respondent has already communicated to the 4th respondent the relevant corrections and the changes that have to be made for the amount payable to the petitioner and the arrears of pay the petitioner is entitled, there shall be a direction to the 4th respondent to immediately forward the papers to the 5th respondent and the 5th respondent shall make necessary corrections in the pension payment order and the connected records and the revised pension and the arrears of pension shall be paid to the petitioner. Appropriate orders in this regard shall be passed within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 4th and 5th respondents along with a copy of this order.

6.This writ petition is disposed of with the above directions. No Costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Environment and Forest Department,
Fort St. George,
Chennai - 600 009.
2. The Accountant General of Tamil Nadu,
(Accounts and Entitlements)
No.361, Anna Salai,
Teynampet, Chennai - 600 018.
3. The Principal Chief Conservator of Forests
Panagal Building,
Saidapet, Chennai - 600 015.
4. The District Forest Officer,
Kanchipuram District,
Kanchipuram.
5. The District Treasury Officer,
Thiruvallur District,
Thiruvallur.
6. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.C.Prabakaran, Advocate sr.15306

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nr 25/02/2020