

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2020

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32038 of 2013

A.S.Meganathan

... Petitioner

Vs.

1.The Government of Tamil Nadu
Represented by its Secretary,
Department of Treasury and Accounts,
Fort St.George,
Chennai – 600 009.

2.The Accountant General,
Government of Tamil Nadu,
Anna Saalai,
Chennai.

3.The Sub Collector,
Namakkal.

4.The Revenue Divisional Officer,
Namakkal.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant the petitioner pension and other monetary benefits and his medical claim, pursuant to his retirement on 31.05.2004, within a stipulated period fixed by this Hon'ble Court.

For Petitioner : Mr.K.Srinivasan
for M/s.J.Antony Jesus
For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to grant the petitioner pension and other monetary benefits and his medical claim, pursuant to his retirement on 31.05.2004, within a stipulated period fixed by this Court.

2.The case of the petitioner is that the petitioner was appointed as Village Munsiff of Singandapuram Village, Rasipuram Taluk and he lost his job due to the abolition of posts of Village Officers by the Government of Tamil Nadu on 14.11.1980. The Government of Tamil Nadu issued G.O.Ms.No.1287, Revenue, dated 06.07.1988, directing that ex-village Munsifs could be temporarily appointed as Village Administrative Officers. Though similarly situated persons like the petitioner were appointed as Village Administrative Officers, the petitioner was not issued with any posting orders. Hence, the petitioner filed O.A.No.6040 of 1992 before the Tamil Nadu Administrative Tribunal, Chennai.

3.It is the further case of the petitioner that the Tamil Nadu Administrative Tribunal, Chennai, vide order dated 24.08.1993 made in O.A.No.6040 of 1992, directed the Revenue Authorities to consider the claim of the petitioner for appointment as Village Administrative Officers, if the petitioner is otherwise in order. Thereafter, vide order of the fourth respondent dated 08.10.1998, the petitioner was appointed as Village Administrative Officer.

4.It is the further case of the petitioner that the petitioner was to retire on 31.05.2004 on attaining the age of superannuation, however, on 24.05.2004, vide order of the fourth respondent dated 24.05.2004, the petitioner was relieved from service on the ground that he did not possess minimum general educational qualification. Hence, the petitioner filed W.P.No.17118 of 2004 before this Court. This Court vide order dated 15.12.2010 allowed the said writ petition. Pursuant to the said order, the fourth respondent issued orders permitting the petitioner to retire from service from 31.05.2004. However, pension and other monetary benefits were not given to him. In this regard, the petitioner made representation to respondents, however, the petitioner was given a sum of Rs.46,757/- towards GPF upto the period

of 31.05.2004 and the other monetary benefits were not given.
Hence, this writ petition.

5.The fourth respondent has filed a counter affidavit stating that except the leave salary and medical reimbursement charges, all other attendant benefits were paid to the petitioner. It is further stated that minimum pension was sanctioned to the petitioner and the petitioner is drawing his pension at Rasipuram Sub Treasury.

6.At this juncture, the learned counsel appearing for the petitioner would submit that this Court may permit the petitioner to make a representation to the respondents claiming the un-settled amount and issue direction to the respondents to consider the same and to settle the un-settled amount within a reasonable time frame.

7.The learned Special Government Pleader would submit that the petitioner has to submit the relevant medical bills in support of his claim of medical reimbursement charges along with his representation and if the same are received by the respondents, it would be considered in accordance with law.

8.In view of the above, this Court permits the petitioner to make a representation to the respondents claiming the un-settled amount, within a period of two weeks from the date of receipt of a copy of this order. The petitioner shall enclose the relevant copies and bills in support of his claim along with his representation. On receipt of the said representation, the respondents shall consider the same, in accordance with law, within a period of three months thereafter.

9.The writ petition is accordingly disposed of. No costs.

12.10.2020

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

सत्यमेव जयते
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M.DHANDAPANI,J.
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To

- 1.The Secretary,
Department of Treasury and Accounts,
Fort St.George,
Chennai – 600 009.
- 2.The Accountant General,
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Anna Salai,
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