



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **09.03.2020**

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD)No.4890 of 2020

Balanagamaiyan

... Petitioner

Vs.

1.The Principal Secretary/Commissioner
Treasuries and Account,
Integrated Complex of Finance
Veterinary Department Hospital Campus
Chennai 35

2.The Accountant General (A&E)
Teynampet
Chennai 18

3.The Superintendent of Police
Thanjavur
Thanjavur District

4.The District Treasury Officer
Thanjavur
Thanjavur District

5.The Sub-Treasury Officer
Kumbakonam
Thanjavur District

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to refix the petitioner pension on the basis of the G.O.Ms.No.446, dated 18.09.2007 and the letter No.67117/Pay Cell/2007, dated 18.12.2007 issued by the Additional Secretary to Government by considering the petitioner representation, dated 18.02.2020.

For petitioner : Mr.R.Murugappan

For R1, R3 & R5 : Mr.Karuppasamy Pandian
Government Advocate

For R2 :Mr.P.Gunasekaran

ORDER

This Writ Petition has been filed for a direction to the respondents to refix the petitioner pension on the basis of the

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G.O.Ms.No.446, dated 18.09.2007 and the letter No.67117/Pay Cell/2007, dated 18.12.2007 issued by the Additional Secretary to Government by considering the petitioner representation, dated 18.02.2020.

2. By consent, the Writ Petition itself is taken up for final disposal.

3. The case of the petitioner is that the petitioner joined in the third respondent office on 01.11.1962 as Constable. During his service, he got several promotions lastly, he got promotion of Sub Inspector of Police and retired from service on 31.01.1996 as Sub Inspector of Police. The grievance of the petitioner is that the third respondent calculated his service period lesser than actually he served in the third respondent Police Force. Hence, the petitioner made a representation, dated 18.02.2020 to the respondents for giving pensionary benefits on the basis of the G.O.Ms.No.446, dated 18.09.2007 and the letter No.67117/Paycell/2007, dated 18.12.2007 issued by the Additional Secretary to Government to the petitioner for the actual service he rendered in the third respondent Police Department. The learned counsel further submitted that the petitioner is a senior citizen, aged about 83 years and suffering from various age old ailments. Therefore, he prays before this Court to direct the respondents to pass orders on the representation of the petitioner, dated 18.02.2020.

4. Heard the learned counsel for the petitioner; learned Government Advocate appearing for the respondents 1, 3 and 5 and the learned counsel appearing for the second respondent.

5. Considering the limited prayer sought for in the Writ petition and without advertting to the merits of the case, the respondents are directed to consider the representation of the petitioner dated 18.02.2020 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to state that the petitioner shall enclose the copy of the representation, dated 18.02.2020 along with this order copy.

6. This Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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Treasuries and Account,
Integrated Complex of Finance
Veterinary Department Hospital Campus
Chennai 35

2.The Superintendent of Police
Thanjavur
Thanjavur District

3.The Sub-Treasury Officer
Kumbakonam
Thanjavur District

4.The Accountant General(A and E),
Teynampet, Chennai - 18

5.The District Treasury Officer,
Thanjavur, Thanjavur District.

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-10709[F] dated 10/03/2020)

+1 CC to M/s.SPL.GP (SR-10763[F] dated 10/03/2020)

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-10688[F] dated 09/03/2020)

W.P (MD) No. 4890 of 2020
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KK/20.03.2020/ 3P- 9C