



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.08.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.8651 of 2020

K.Selvendran

... Petitioner

-Vs-

1.The Government of India,
rep., by its Senior Accounts Officer,
Regional Pay and Accounts Office,
Central Industrial Security Force (CISF),
Ministry of Home Affairs,
"D" Wing, Rajaji Bhawan,
Besant Nager, Chennai 600 090.

2.The Deputy Inspector General,
Central Industrial Security Force (CISF),
South Zone, Head Quarters,
South Sector-Pension Crime,
Chennai.

3.The Commandant,
Central Industrial Security Force (CISF),
4th Reserve Battalion,
Sivagangai, Tamil Nadu State.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the third respondent herein to send the petitioner's pension papers and other service book with full correct details to the first respondent herein so as to facilitate the first respondent herein to sanction the petitioner's pension and other retirement benefits based on the petitioner's representation dated 01.06.2020 made to the third respondent herein.

For Petitioner : Mr.P.Krishnasamy
For Respondents : Mr.V.Kathirvelu,
Assistant Solicitor General

ORDER

The prayer sought for herein is for a Writ of Mandamus, to direct the third respondent herein to send the petitioner's pension papers and other service book with full correct details to the first respondent herein so as to facilitate the first respondent herein to sanction the petitioner's pension and other retirement benefits based on the petitioner's representation dated 01.06.2020 made to the third respondent herein.



2. Heard Mr.P.Krishnasamy, learned counsel appearing for the petitioner and Mr.V.Kathirvelu, learned Assistant Solicitor General appearing for the respondents.

3. By consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.

4. The petitioner was appointed on 22.04.1985 as Constable at the respondent Central Industrial Security Force, after having rendered unblemished service for several years, he retired from service on superannuation from 31.05.2020.

5. In this context, it is the grievance of the petitioner that, the petitioner has been eligible to get First Assured Career Progress (ACP) with effect from 09.08.1999. However, it was, according to the petitioner has been given only from 01.04.2004. Therefore, the pension papers have not been properly processed and it has been returned. In order to rectify all these and to get the correct pension based on the correct pay, for which the petitioner was eligible to get, the petitioner has given a detailed representation on 01.06.2020 to the respondent and in this context, Mr.P.Krishnasamy, learned counsel appearing for the petitioner would submit that, if the said representation of the petitioner is directed to be considered by the respondent, especially the first and second respondents and order to that effect on merits is directed to be passed within a time frame, the petitioner would be satisfied.

6. I have heard the learned Assistant Solicitor General appearing for the respondents. He, after taking notice, would submit that, whatever the eligibility to get pension based on the salary fixed and was given to the petitioner, definitely would be disbursed to the petitioner and in this context, if the petitioner has got any grievance and accordingly, he has given a representation on 01.06.2020, that would be considered by the respondent on merits and in accordance with law and to that effect order would be passed.

7. Considering the limited scope of the prayer sought for herein and after taking into account the submissions made by the learned counsel for both sides, this Court is inclined to dispose of this writ petition with the following directions:

'that the respondents, especially, the first respondent is hereby directed to consider the representation of the petitioner dated 01.06.2020, after receipt of forwarded pension proposal of the petitioner from the second and third respondents, who shall forward such proposal, within a period of eight (8) weeks and thereafter, let the first respondent decide it, within a period of six (6) weeks and accordingly, pass a final order, as indicated above.'



8. With the above directions, this Writ Petition is disposed of.
No costs.

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// True Copy //

Sd/-

Deputy Registrar (ACCOUNTS)

/ /2020

Sub Assistant Registrar (CS)

rmk

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1. The Senior Accounts Officer,
Government of India,
Regional Pay and Accounts Office,
Central Industrial Security Force (CISF),
Ministry of Home Affairs,
"D" Wing, Rajaji Bhawan,
Besant Nagar, Chennai 600 090.
2. The Deputy Inspector General,
Central Industrial Security Force (CISF),
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3. The Commandant,
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