



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P. (MD)No.18665 of 2020

R.Jeyaraman

... Petitioner

Vs.

1.The Commissioner of Municipal Administration
75, Santhome High Way,
M.R.C Nagar,
Chennai-28.

2.The Commissioner,
Kodaikanal Municipality,
Dindigul District.

3.The Commissioner,
Palani Municipality,
Dindigul District.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents to disburse the petitioner's arrears of salary for the period from 09.06.2000 to 12.08.2002 by considering the petitioner's representation dated 14.05.2020.

For Petitioner : Mr.N.Mohan

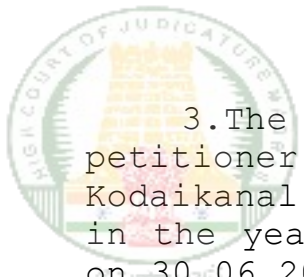
For R-1 : Mr.A.Thiagarajan
Government Advocate

For R-2 and R-3 : Mr.LP.Mourya

O R D E R

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

2.This writ petition has been filed to direct the respondents to disburse the petitioner's arrears of salary for the period from 09.06.2000 to 12.08.2002 by considering the petitioner's representation dated 14.05.2020.



3.The learned counsel for the petitioner would submit that the petitioner joined the service as Lower Divisional Clerk in Kodaikanal and subsequently, he was promoted as Junior Assistant in the year 1993. Thereafter, the petitioner retired from service on 30.06.2003. Since there was an audit objection and Charge memo is pending against the petitioner, he was allowed to get provisional pension alone. Therefore, the petitioner filed a writ petition in W.P.No.21313 of 2019 to disburse all the terminal benefits and the same was disposed of on 04.01.2019 directing the first respondent to consider the petitioner's representations dated 21.04.2017 and 18.02.2018 and pass appropriate orders within a period of 12 weeks. Based on the order, the first respondent has dropped all the charges against the petitioner in his proceedings dated 04.03.2020. Thereafter, no terminal benefits were disbursed to him. Hence, the petitioner sent a representations to the respondents on 14.05.2020 and 25.06.2020. Finally, the petitioner's pensionary benefits are cleared through the proceedings of the first respondent dated 13.07.2020 in Ni.Mu.No.8024/na.o.sa(1)/2020. But the petitioner's arrears of salary for the period from 09.06.2000 to 12.08.2002 was not sanctioned. Hence, the petitioner filed the present writ petition.

4.The learned counsel appearing for the respondents would fairly submit that the arrears of the salary of the petitioner will be disbursed within a period of eight weeks.

5.In view of the above, this Court directs the respondents to disburse the petitioner's arrears of salary for the period from 09.06.2000 to 12.08.2002 by considering his representation dated 14.05.2020 within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

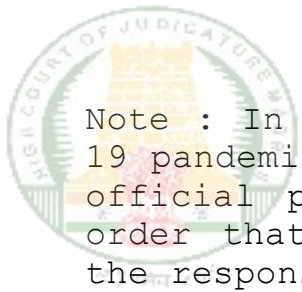
Assistant Registrar (RECORDS)

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Sub Assistant Registrar(CS)

CP



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.

WEB COPY

To:-

The Commissioner of Municipal Administration
75, Santhome High Way,
M.R.C Nagar,
Chennai-28.

+1 cc to The Special Government Pleader Sr.No.26275

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