

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.2736 of 2021

D.Sampath

... Petitioner

Vs

1. The Principal Secretary / Commissioner of
Treasuries and Accounts,
Office at Guindy, Chennai - 600 025.
2. The District Forest Officer,
Vellore District.
3. The Assistant Conservator of Forest,
Forest Protection Squad,
Vellore District.

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to pay the CPS arrears payable to the petitioner for the period July and August 2008, March 2009, May and September 2011, February 2014, December 2015, January and February 2016 and April 2016 by considering the representation, dated 07.01.2020 of the petitioner within a time to be stipulated by this Court.

For Petitioner : Mr.T.Sellapandian

For Respondents : Mr.S.Prabhu,
Additional Government Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondents to consider the representation of the petitioner, dated 07.01.2020 within a time to be stipulated by this Court.

2. By consent of both sides, the orders are passed in the writ petition. Mr.S.Prabhu, learned Additional Government Pleader takes notice for respondents.

3. It is the case of the petitioner that the petitioner who is a retired Government servant, is not paid the arrears, out of the CPS benefits during the course of his employment. Hence, he made a representation, dated 07.01.2020 to the respondents seeking payment of arrears of CPS benefits for the period of July and August 2008, March 2009, May and September 2011, February 2014, December 2015, January and February 2016 and April 2016. Thereafter, the 1st respondent sent a reply on 20.08.2019, intimating that the representation has been forwarded to the Assistant Conservator of Forest, Vellore to send a proposal after obtaining the signature from the District Treasury Officer, Vellore. But, since there is no reply thereafter, the petitioner has filed the present writ petition.

4. In view of the limited prayer sought for by the petitioner and if the Petitioner's representation is already pending with the authorities concerned and, not disposed of earlier, this Court directs the respondents to consider the representation of the petitioner dated 07.01.2020 and pass appropriate orders, in accordance with law, after affording an opportunity of hearing to the petitioner, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

5. The petitioner shall furnish his phone number, email ID, if any, etc., along with a copy of the representation dated 07.01.2020 and this order, to the respondents forthwith. The respondents are directed to communicate the decision taken on the representation, to the petitioner within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/registered post/speed post, so that there is no need for the parties to file contempt after expiry of the specified period. In case the authorities concerned fail to send communication to the parties, they will have to face the civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned un-served for one reason or the other, the same shall be kept in the file without opening it for the proof of attempt of delivery, so that the parties, at a later point of time, will not take a plea that he is not aware of the order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vum

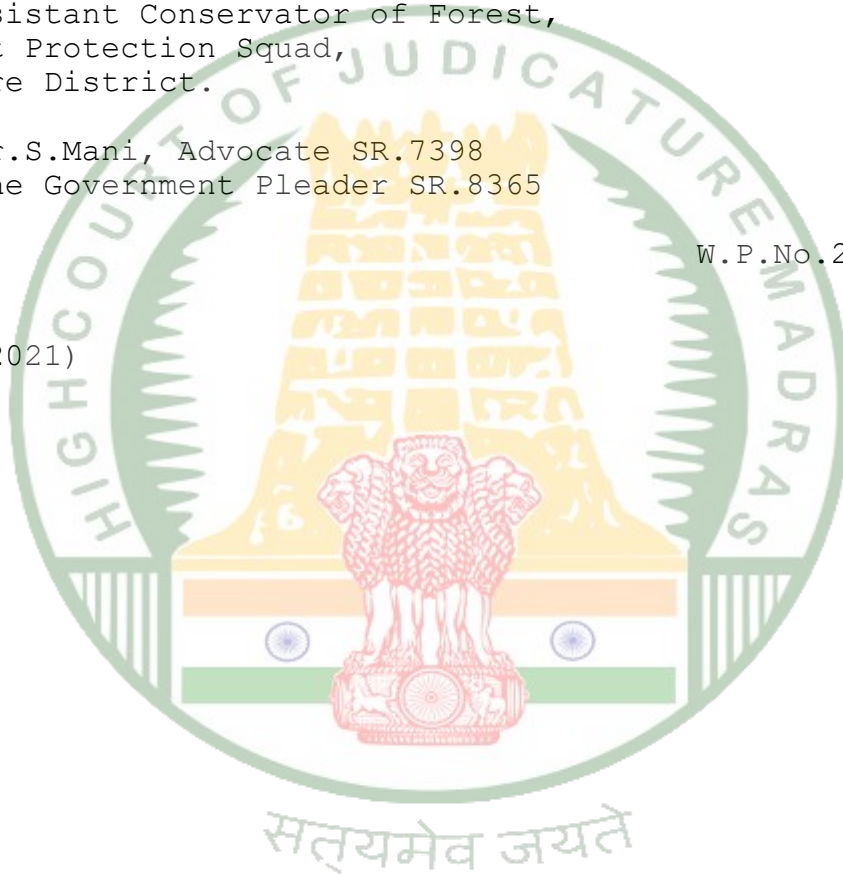
To:

1. The Principal Secretary / Commissioner of
Treasuries and Accounts,
Office at Guindy, Chennai - 600 025.
2. The District Forest Officer,
Vellore District.
3. The Assistant Conservator of Forest,
Forest Protection Squad,
Vellore District.

+1cc to Mr.S.Mani, Advocate SR.7398
+1cc to the Government Pleader SR.8365

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NMI (CO)
CB(12/03/2021)



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