

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P. No. 2231 of 2012

S.Sadasivam

... Petitioner

-vs-

1. The Government of Tamil Nadu,
Represented by Secretary to Government,
Revenue Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
3. The District Collector,
Namakkal District, Namakkal.
4. The Revenue Divisional Officer,
Namakkal.
5. The Accountant-General (A.&E.),
Tamil Nadu, Chennai - 600 018. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to grant minimum pension to the petitioner in the light of G.O.Ms.No.148, Revenue (Ser.8 (2) Department, dated 20.04.2011, with effect from 01.0.1.2002 and disburse the arrears thereof with interest.

For Petitioner : Mr.M.Ravi
For Respondents : Ms.K.Bhuvaneshwari
Adl. Govt. Pleader for R1 to R4
Ms.T.S.Selvarani
Standing counsel for R5

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the respondents to grant minimum pension to the petitioner in the light of G.O.Ms.No.148, Revenue (Ser.8(2)) Department, dated 20.04.2011, with effect from 01.0.1.2002 and disburse the arrears thereof with interest.

2. The petitioner was initially working as Village Karnam on permanent basis and subsequently, was re-appointed as Village Administrative Officer and his service was regularized with effect from 31.08.1994.

3. After superannuation, he retired from service. However, his pension was not properly fixed, even though, he was eligible to get the minimum pension and in this regard, he has given a representation on 25.11.2011 to the first respondent and since the said representation was also not considered and no orders were passed, he has filed this Writ Petition with the aforesaid prayer.

4. Heard Mr.M.Ravi, learned counsel appearing for the petitioner and Ms.K.Bhuvaneswari, learned Additional Government Pleader appearing for first to fourth respondents.

5. The learned Additional Government Pleader appearing for the first to fourth respondents would submit that, if at all, the said representation given by the petitioner dated 25.11.2011 is not considered so far by the respondents especially the first respondent, a copy of the same can be forwarded by the petitioner along with the copy of this order and on receipt of the same, it would be considered on merits and that order would be passed within a time frame.

6. Considering the limited scope of the issue, this Court is inclined to dispose of the Writ Petition with the following orders:

"(i) That the petitioner is directed to send a copy of the representation dated 25.11.2011 along with the copy of this order within a period of two weeks to the respondents, i.e., first respondent through proper channel and on receipt of the same, the first respondent shall decide the issue with regard to the pension of the petitioner and pass orders thereon on merits and in accordance with law within a period of twelve weeks thereafter and once the first respondent comes to the conclusion that positive orders can be passed and accordingly, passed, the same can be forwarded to the fifth respondent to the proper authorities to do the needful thereafter."

7. With these directions, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(insp cell)

//True Copy//

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar

vji

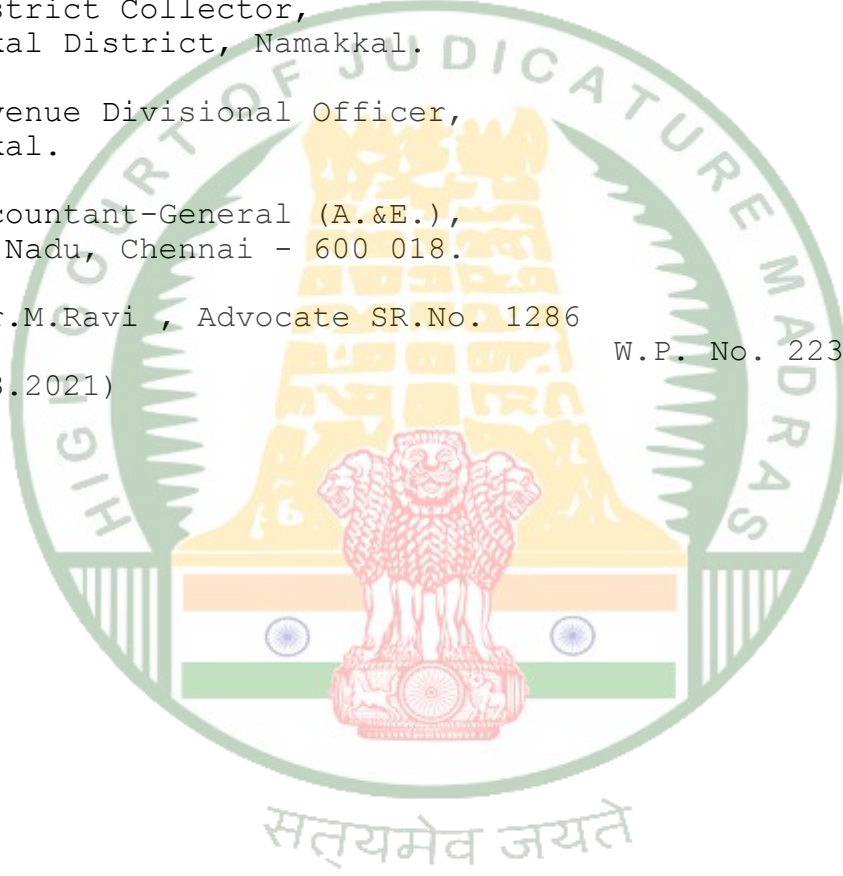
To

1. The Secretary to Government,
The Government of Tamil Nadu,
Revenue Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
3. The District Collector,
Namakkal District, Namakkal.
4. The Revenue Divisional Officer,
Namakkal.
5. The Accountant-General (A.&E.),
Tamil Nadu, Chennai - 600 018.

+1cc to Mr.M.Ravi , Advocate SR.No. 1286

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A.SK(12.03.2021)



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