



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.21399 of 2021
and
W.M.P.No.22638 of 2021

(Through Video Conferencing)

M.Muthulakshmi

...Petitioner

Vs

1.The Secretary to Government,
Revenue Department, Secretariat,
Government of Tamil Nadu, Chennai.

2.The District Collector Chengalpattu,
Tamil Nadu.

3.The Revenue Divisional Officer,
Madhurandhagam,
Chengalpattu District,
Tamil Nadu.

4.The Office of Principal Accountant General,
(Accounts and Entitlement)
Chennai - 600 018.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the second respondent to forward the pension proposal of the petitioner's husband Muthuveerasami Pillai Ex-Karnam to the fourth respondent to enable the petitioner to receive the pension and all other attendant benefits with interest payable to the petitioner's husband.

For Petitioner : Mr.R.Karunakaran

For Respondents : Mr.L.S.M.Hasan Fizal,
Government Advocate for R1 to R3
Mr.V.Vijay Shankar for R4



ORDER

This writ petition is disposed at the time of admission by considering the plight of the petitioner who is aged about 81 years on the date of this writ petition. The petitioner's husband late B.Muthuveerasamy Pillai, Ex-Karnam at 266 Chunampet Village, Vannianallur Post was issued with the charge memo dated 22.09.1979. The petitioner's husband had also given his explanation dated 11.07.1980. However, the disciplinary proceedings appears to have not completed. Later on 13.12.2002, the petitioner's husband also passed away.

2.It is the case of the petitioner that the pension papers were not processed by the office of the 2nd respondent during the petitioner's husband's life time, even though the disciplinary proceedings initiated against the petitioner's husband was not taken to its logical end. The petitioner appears to have been sent representation through her son, however it has not evoked any response from the 2nd respondent's office.

3.The Government of Tamil Nadu has issued G.O.Ms.No.753, Revenue (Ser.VII-i) Department, vide order dated 09.09.1998 in terms of which the request of Ex-Village Officers Association and on the recommendation of Special Commissioner and Commissioner of Revenue Administration, wherein it was decided that pensionary benefits should be sanctioned to all the Ex.Village Officers who were on leave, suspension on 14.11.1980.

4.Considering the above, this writ petition is disposed by directing the respondents to consider various representations of the petitioner and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. The 2nd respondent is also directed to verify whether the disciplinary proceedings initiated against the petitioner's husband late B.Muthuveersamy Pillai Ex.Karnam culminated in any final order or not. In case, such proceeding was not taken to its logical end, in view of the death of the petitioner's husband on 13.11.2002, the disciplinary proceedings initiated against the petitioner in terms of charge memo dated 22.09.1979 shall be deemed to have been abated in terms of the Government Order.

5.This Writ Petition is disposed of with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



rgm/jas

To

- 1.The Secretary to Government,
Revenue Department, Secretariat,
Government of Tamil Nadu Chennai.
- 2.The District Collector Chengalpattu,
Tamil Nadu.
- 3.The Revenue Divisional Officer,
Madhurandhagam,
Chengalpattu District,
Tamil Nadu.
- 4.The Office of Principal Accountant General,
(Accounts and Entitlement)
Chennai - 600 018.

+lcc to Mr.R.Karunakaran, Advocate Sr No.52074
+lcc to the Government Pleader Sr No.52736

W.P.No.21399 of 2021
and
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SSV (CO)
PR (26/11/2021)