

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.64 of 2015

S.Mani

... Petitioner

Vs.

1.State of Tamilnadu rep. by
Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 9.

2.The Principal Commissioner &
Commissioner for Revenue Administration,
Ezhilagam,
Chepauk,
Chennai - 5.

3.The Revenue Divisional Officer,
Salem Division,
Salem.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay all the service and retirement benefits to the petitioner by taking into account the entire service from 11.08.1982 till the date of petitioner's retirement on 30.06.2010 under the Tamilnadu Pension Rules and the Disabilities Act 1 of 1996 with 18% interest per annum and cost.

For Petitioner : Mr.Singaravelan
Senior Counsel
for M/s.M.Sri Vidhya

For Respondents: Mr.J.Ramesh
Additional Government Pleader

O R D E R

Heard both sides and perused the materials placed before this Court.

2.The petitioner has filed this writ petition seeking direction to the respondents to pay him all the service and

retirement benefits taking into account the entire service under the Tamilnadu Pension Rules and the Disabilities Act 1 of 1996 with interest.

3.The case of the petitioner is that he was appointed as Village Administrative Officer and joined the service on 11.08.1982. On 05.05.1997, he was attacked by unknown persons due to which, he became incapable to attend office and was permitted to retire from service on invalid pension. He made representation to the respondents seeking entire service and retirement benefits and since there was no response, has filed this writ petition.

4.The learned Senior Counsel appearing for the petitioner submitted that pointing out the various reasons on medical grounds including the medical certificate issued by the Regional Medical Authorities, the petitioner made representation dated 22.12.2014 and raised all the points in line with the Disabilities Act 1 of 1996. He further submitted that the case of the petitioner be considered by the Authorities on various grounds especially on medical grounds, for which, the learned Additional Government Pleader appearing for the petitioner raised no serious objection.

5.In view of the above, this Court directs the respondents to consider the petitioner's representation dated 22.12.2014 and such consideration be based on the Regional Medical Board's Certificate as well as the Disabilities Act 1 of 1996 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 9.

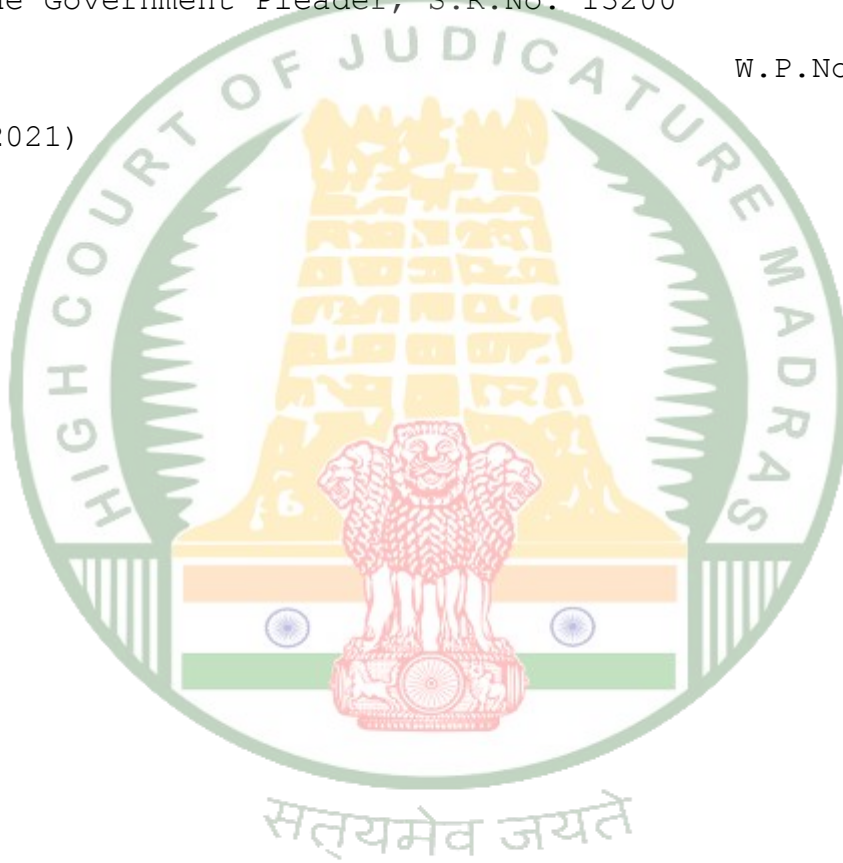
2.The Principal Commissioner &
Commissioner for Revenue Administration,
Ezhilagam,
Chepauk,
Chennai - 5.

3.The Revenue Divisional Officer,
Salem Division,
Salem.

+2cc to Mr. M.Srividhya, Advocate, S.R.No. 13423
+1cc to the Government Pleader, S.R.No. 13200

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SSD(CO)
GN(12/07/2021)



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