

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.15513 of 2014

and

M.P.No.1 of 2014

K.N.Sadasivam

... Petitioner

Vs.

1.The Government of Tamil Nadu
Rep. by the Secretary to Government,
Municipal Administration Department,
Fort St.George,
Chennai – 600 009.

2.The Director of Municipal Administration,
Chepauk,
Chennai – 600 005.

3.The District Collector,
Coimbatore District,
Coimbatore.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant the petitioner all the pensionary benefits in respect of the services rendered by him till the date of superannuation on 30.06.2012, including pension, gratuity, provident fund benefits and all other attendant benefits, together with interest on the belated payment till realization.

For Petitioner : Mr.T.N.Sugesh

For Respondents : Mr.R.S.Selvam

ORDER

The petitioner has filed this writ petition seeking a direction to the respondents to grant him all the pensionary benefits, including pension, gratuity, provident fund benefits and all other attendant benefits, together with interest.

2.The case of the petitioner is that he was appointed in service on 23.07.1990. On 05.11.2009, he was issued with charge memo under Rule 17 (b) of the Tamilnadu Civil Services (Discipline and Appeal) Rules. Thereafter, enquiry was conducted, but no final order was passed on the disciplinary proceedings. On attaining the age of superannuation, the petitioner was permitted to retire from service on 30.06.2012, without prejudice to the disciplinary proceedings. However, his pensionary benefits have not yet been settled in favour of him. Hence, this writ petition.

3.The learned counsel for the petitioner submitted that the petitioner made a representation dated 08.12.2013 to the respondents seeking pensionary benefits and the same was not considered till date.

Hence, the learned counsel sought appropriate direction to the respondents in this regard.

4.On the other hand, the learned counsel for the respondents fairly submitted that the respondents would consider the petitioner's representation and pass orders, on merits, within a time frame to be stipulated by this Court.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to consider the petitioner's representation dated 08.12.2013, if not already considered, and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

03.02.2021

pri
Speaking Order/ Non Speaking Order
Index: Yes/ No Internet: Yes/ No

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R.MAHADEVAN,J.

pri

To

- 1.The Secretary to Government,
Municipal Administration Department,
Fort St.George,
Chennai – 600 009.
- 2.The Director of Municipal Administration,
Chepauk,
Chennai – 600 005.
- 3.The District Collector,
Coimbatore District,
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