



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 15.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.24077 of 2019

A.Chandrakesan

Vs

...Petitioner

1. The Additional Chief Secretary,
Rural Development & Panchayat Department,
Fort St.Gorge Secretariat,
Chennai.
2. The Director,
Rural Development & Panchayat Department,
Panagal Building,
Saidapet,
Chennai-15.
3. The District Collector,
Villupuram District.
4. The Block Development Officer,
Panchayat Union,
Kanai,
Villupuram District.
5. The Principal Account General,
No.361,
Anna Salai,
Chennai-600 018.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to quash the letter issued by the fifth respondent vide letter No.P03/1/10323070/ADK dated 24.06.2019 and consequentially direct the fifth respondent to extend the terminal benefits to the petitioner as per the proceedings of the third respondent the District Collector, Villupuram District Vide Proceedings in NA.KA.No.BA5/1651/2017 dated 27.09.2018 to extend the benefits in accordance with law.



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For Petitioner : Mr.C.D.Johnson
For R1 to R3 : Mr.K.V.Sajeev Kumar,
Government Counsel
For R4 : Mr.K.Tippu Sulthan,
Government Advocate
For R5 : * **Mr.V.Vijay Shankar**

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein retired as a Road Inspector on 30.08.2008. When the petitioner herein had sought for extending the benefits of G.O.Ms.No.856, Public Works Department, dated 01.06.1977, by notionally promoting him to the post of Road Inspector Grade-I with effect from 25.09.1985 and consequently revise his pay and other benefits including the pensionary benefits in W.P.No.7729 of 2017, the same came to be dismissed by this Court on 03.04.2017. As against the same, the petitioner had preferred an appeal before the Hon'ble Division Bench of this Court and this Court, by order dated 04.07.2017 in W.A.No.736 of 2017, had directed the respondents to calculate the benefits sought by the petitioner from the date of the order passed by the Division Bench, i.e., 04.07.2017. Accordingly, the fifth respondent herein had passed an order on 24.06.2019 by observing that the petitioner is entitled to monetary benefits from the date of the order in W.A.No.736 of 2017 i.e, from 04.07.2017. Consequently, the fifth respondent had called for revised proposals along with the service book in this regard.

3. It is stated by the learned counsel for the petitioner that pursuant to the order of the writ appeal, the third respondent herein through his proceedings dated 27.09.2018, had granted terminal benefits for the period between 20.10.978 and 31.08.2008 for a sum of Rs.7,82,436/-.

4. It is the observation of the petitioner that though this order was passed way back in 24.06.2019, the revised proposal has been unnecessarily delayed. The learned counsel for the petitioner submitted that if a direction is given to the authorities to send the revised proposal within a stipulated time, they would be satisfied.

*** "5. In the light of the decision passed by the Hon'ble Division Bench of this Court in W.A.No.736 of 2017 and the submission made by the learned counsel for the petitioner, there shall be a direction to the respondents 1 to 4 to pass the revised proposals, in**



accordance with the judgement of the Hon'ble Division Bench of this Court in W.A.No.736 of 2017 as well as the order passed by the third respondent dated 27.09.2018, atleast within a period of twelve weeks from the date of receipt of a copy of this order. The present writ petition stands disposed of, accordingly. No costs."

Sd/-
Assistant Registrar(CS VII)
(11/08/2021)

* Deleted and Substituted as per
the order of this Court dated 26/08/2021
Sd/-
Assistant Registrar(CS VII)
dated 02/09/2021

//True Copy//

Sub Assistant Registrar

sbn

To

1. The Additional Chief Secretary,
Rural Development & Panchayat Department,
Fort St.Gorge Secretariat,
Chennai.
2. The Director,
Rural Development & Panchayat Department,
Panagal Building,
Saidapet, Chennai-15.
3. The District Collector,
Villupuram District.
4. The Block Development Officer,
Panchayat Union,
Kanai, Villupuram District.
5. The Principal Account General,
No.361, Anna Salai,
Chennai-600 018.

**To be substituted
to the order
already
despatched
on 25/08/2021**

W.P.No.24077 of 2019

PM(CO)
GN(18/08/2021)
NSK 07/09/2021