



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.471 of 2021

WEB COPY

Sadaiyappan

... Petitioner

vs.

1. The Additional Chief Secretary cum
Commissioner of Revenue Administration,
Ezhilagam,
Chepauk, Chennai - 5.

2. The District Collector,
Tenkasi District.

3. The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents more particularly the first respondent to pass final orders under Rule 9(2) of the Tamil Nadu Pension Rules by accepting the recommendation made by the then District Collector, Tirunelveli District by the proceedings in Na.Ka.A.1/11741/2019, dated 15.07.2019 and further direct the respondents to pay all the monetary benefits payable to the petitioner upon his retirement.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.P.Subbaraj

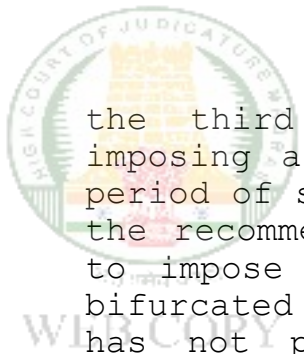
Government Advocate

ORDER

The petitioner has filed the present Writ Petition, to direct the respondents to pass final orders under Rule 9(2) of the Tamil Nadu Pension Rules, by accepting the recommendation made by the District Collector, Tirunelveli District, dated 15.07.2019 and to direct the respondents to pay all the monetary benefits payable to the petitioner upon his retirement.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.According to the petitioner, while he was working as Village Administrative Officer, he was placed under suspension and hence, he was not permitted to retire and retained in service, by an order, dated 31.01.2009. After conclusion of the disciplinary proceedings,



the third respondent passed the final order recommending for imposing a punishment of stoppage of Rs.500/- from pension for a period of six months. The District Collector, Tirunelveli, forwarded the recommendation of the third respondent to the first respondent to impose punishment. In the meanwhile, Tirunelveli District was bifurcated and Tenkasi District was created. The first respondent has not passed any order on the recommendation of the third respondent forwarded by the District Collector, Tirunelveli. Hence, the petitioner has come out with the present Writ Petition.

4.Considering the relief sought for by the petitioner, the first respondent is directed to pass final orders under Rule 9(2) of the Tamil Nadu Pension Rules, on the recommendation made by the District Collector, Tirunelveli District, by proceedings, dated 15.07.2019, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ps

To

1. The Additional Chief Secretary cum
Commissioner of Revenue Administration,
Ezhilagam,
Chepauk, Chennai - 5.

2. The District Collector,
Tenkasi District.

3. The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.

+1 CC to M/s.SPL GP (SR-22678[F] dated 15/07/2021)

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RC (03.08.2021) 2P-5C