



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.[MD]Nos.6924 & 6929 of 2021

A.Gajendran

...Petitioner in both Writ Petitions

Vs.

1.The Commissioner of Revenue Administration,
Chepauk,
Chennai - 600 005.

2.The District Collector,
Madurai District,
Madurai.

3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Usilampatti,
Madurai District.

... Respondents 1 to 3
(in WP(MD) No.6924/2021)
... Respondents 2 to 4
(in WP(MD) No.6929/2021)

4.The Accountant General,
AG's Office Complex,
361, Teynampet,
Chennai - 600 018.

... 1st respondent
(in W.P.[MD]No.6929/2021)

PRAYER in W.P.[MD]No.6924/2021: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second and third respondents to disburse the encashment of earned leave, unearned leave on private affairs and special provident fund payable to the petitioner within time frame fixed by this Court.

PRAYER in W.P.[MD]No.6929/2021: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fourth respondent to submit the pension proposal to the third respondent and consequently directing the third respondent to forward the pension proposal to the first respondent and consequential direction to the first respondent to disburse Pension, DCR Gratuity and Family Pension to the petitioner within a time frame fixed by this Court.



[In W.P. [MD]No.6924/2021]

For Petitioner : Mr.D.Shanmugaraja Sethupathi
For Respondents : Mrs.V.P.M.Vaishnavi,
Government Advocate

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[In W.P. [MD]No.6929/2021]

For Petitioner : Mr.D.Shanmugaraja Sethupathi
For Respondent No.1 : Mr.P.Gunasekaran
Standing Counsel
For Respondents 2 to 3 : Mrs.V.P.M.Vaishnavi,
Government Advocate

COMMON ORDER

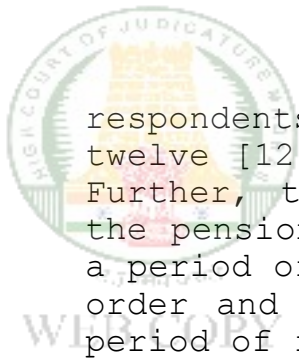
By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The learned Counsel for the petitioner would submit that the petitioner was initially appointed as Junior Assistant in the Revenue Department on 29.11.1984 and promoted as Tahsildar in the year 2012. Subsequently, the petitioner was posted as Special Tahsildar, Adi Dravidar Welfare Unit-I, Madurai on 24.08.2015. The petitioner attained the age of superannuation on 08.03.2019, however, he was not allowed to retire from service, on the ground that the petitioner was facing 17(b) charges. Thereafter, the said charges against the petitioner were dropped vide order of the second respondent dated 16.02.2021 and the petitioner was allowed to retire on 01.03.2021. However, the terminal benefits have not been disbursed to the petitioner, sofar. Hence, the petitioner sent representations dated 08.03.2021 and 10.03.2021, for disbursement of terminal benefits and for forwarding his pension proposal. Since, the said representations are still pending consideration, the petitioner is before this Court by way of these writ petitions.

3.Learned Counsel for the petitioner would submit that this Court may issue a direction to the respondents for disbursement of retiral benefits and for forwarding the petitioner's pension proposal based on his representations dated 08.03.2021 and 10.03.2021.

4.The learned Government Advocate appearing for the respondents would submit that the pension proposal of the petitioner has already been forwarded to the competent authority and the pensionary benefits will be disbursed to the petitioner within a period of twelve [12] weeks.

5.In view of the above, this Court directs the third and fourth



respondents to disburse the pensionary benefits within a period of twelve [12] weeks from the date of receipt of a copy of this order. Further, the third and fourth respondents are directed to forward the pension proposal of the petitioner, if not already done, within a period of two [2] weeks from the date of receipt of a copy of this order and the first respondent shall dispose of the same within a period of four [4] weeks thereafter.

6. Accordingly, these Writ Petitions stand disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(Records)

//True copy//

/ /2021

Sub Assistant Registrar

To

1.The Commissioner of Revenue Administration,
Chepauk,
Chennai - 600 005.

2.The District Collector,
Madurai District,
Madurai.

3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Usilampatti,
Madurai District.

4.The Accountant General,
AG's Office Complex,
361, Teynampet,
Chennai - 600 018.

+2 CC to THE SPECIAL GOVERNMENT PLEADER (SR-14112[F] & SR-14367[F]
dated 29/03/2021 & 30/03/2021)

+2 CC to Mr.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-14222[F] &
SR-14223[F] dated 29/03/2021)

COMMON ORDER MADE IN
W.P. [MD]Nos.6924 & 6929 of 2021
26.03.2021

MR

SRS/24.05.2021/3P/9C