



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
W.P. (MD)No.8003 of 2021

WEB COPY

N.Krishnamurthy

... Petitioner

Vs.

1.The Treasury Officer,
District Treasury,
Tiruchirapalli-620 001.

2.The Assistant Treasury Officer,
Sub Treasury,
Lalgudi,
Tiruchirapalli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent I.e., the Treasury Officer, District Treasury, Tiruchirapalli to sanction the petitioner's DCRG within a specified time frame as per the second Proviso to Rule 60(1)(c) of Tamil Nadu Pension Rules, 1978, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.C.Ramesh,
Special Government Pleader

ORDER

This writ petition is filed seeking for a mandamus, directing the first respondent i.e., the Treasury Officer, District Treasury, Tiruchirapalli to sanction the petitioner's DCRG within a specified time frame as per the second Proviso to Rule 60(1)(c) of Tamil Nadu Pension Rules, 1978.

2. Mr.C.Ramesh, learned Special Government Pleader takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, he joined the service in the Treasury Department as Accountant. His date of superannuation was 31.01.2019, but he was not allowed to retire from service and was placed under suspension because of the pendency of the Vigilance and



Anti Corruption case. He received an encashment of leave salary. He has admitted that he is not entitled to sanction of full pension and Commutation of pension. He is entitled only DCRG as per second Proviso to Rule 60(1)(c) of the Tamil Nadu Pension Rules, 1978. In this regard, the petitioner gave representation on 03.02.2021 to the respondents. The said representation was not considered and no order was passed. Hence, the petitioner has come out with the present writ petition.

4. Though the petitioner sought for a larger relief in the writ petition, when the Writ Petition is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner would be satisfied if a direction is issued to the respondents to consider his representation, dated 03.02.2021.

5. Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

6. Considering the submission of the learned counsel for the petitioner, without deciding the issue on merits, in the writ petition, the writ petition is disposed of directing the respondents to consider the representation of the petitioner, dated 03.02.2021 and pass orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

SD

ASSISTANT REGISTRAR (CS III)

TRUE COPY

/5/2021

SUB ASSISTANT REGISTRAR (CS)

am

To

1. The Treasury Officer,
District Treasury,
Tiruchirapalli-620 001.

2. The Assistant Treasury Officer,
Sub Treasury, Lalgudi,
Tiruchirapalli District.

1CC TO MR. S. VISVALINGAM, ADVOCATE SR 16359

TR 3/5/2021 2P/4C

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