



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.8565 of 2021

and

W.M.P (MD) No.6450 of 2021

WEB COPY

C.Subburayan

... Petitioner

-Vs-

1.The State of Tamil Nadu,
Rep. by the Additional Chief Secretary,
Department of Revenue,
Secretariat, Fort St. George,
Chennai-600 006.

2.The Commissioner of Revenue Administration,
O/o.The Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai-05.

3.The District Collector,
Collectorate,
Dindigul,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.2 to disburse the pension and all retirement benefits including earn leave surrender, leave salary, Gratuity, Provident Fund and Commutation within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.C.Ramesh

Special Government Pleader

ORDER

This Writ Petition is filed to direct the second respondent to disburse the pension and all retirement benefits including Earned Leave Surrender, Leave Salary, Gratuity, Provident Fund and Commutation, within the time period to be stipulated by this Court.

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

3. The learned counsel appearing for the petitioner submitted that the petitioner while working as Village Administrative Officer at Batlagundu Village Unit, a charge memo dated 15.04.2015, was



issued. Challenging the said charge memo, the petitioner filed a writ petition in W.P(MD)No.9004 of 2015 before this Court. This Court, by order, dated 14.03.2017, set aside the charge memo and allowed the writ petition. Challenging the order passed in the writ petition, the respondents filed a writ appeal in W.A(MD)No.1211 of 2018 and the same was dismissed by this Court on 11.10.2018. In the meanwhile, the petitioner attained the age of superannuation on 31.08.2015. The learned counsel appearing for the petitioner further submitted that the petitioner is paid only provisional pension and he was not paid with retirement benefits and other benefits including Earned Leave Surrender, Leave Salary, Gratuity, Provident Fund and Commutation. In this regard, the petitioner has made several representations to the respondents, for granting terminal benefits. Since the respondents have not passed any orders on the representations, the petitioner has come out with the present writ petition.

4. Considering the above materials on record, without deciding the issue on merits, the writ petition is disposed of directing the petitioner to give fresh representation to the respondents within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the second respondent is directed to consider the same and pass orders on merits and in accordance with law, within a period of four weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Additional Chief Secretary,
Department of Revenue,
Secretariat,
Fort St. George,
Chennai-600 006.



2.The Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai-05.

3.The District Collector,
Collectorate, Dindigul,
Dindigul District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-17828[F] dated
28/04/2021)

+1 CC to M/s.SPL GP (SR-17927[F] dated 28/04/2021)

W.P.(MD)No.8565 of 2021
27.04.2021

NA(CO)
KB(13.05.2021) 3P 6C