



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.17699 of 2021

V.Jeyarajan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Agriculture Department/
Agriculture Production Commissioner,
Secretariat, Chennai.

2.The Director of Agriculture,
Chepuak,
Chennai-600 005.

3.The Joint Director of Agriculture,
Ramanathapuram,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to settle the compulsory retirement benefits including monthly pension as per the order in G.O.(3D).No.161, Agriculture (VN7) Department dated 12.11.2018 with admissible interest.

For Petitioner : Mr.V.P.Panneer Selvam
For Respondents : Mr.S.Shanmugavel,
Standing Counsel for State.

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents to settle the compulsory retirement benefits including monthly Pension as per G.O.(3D).No.161, Agriculture (VN7) Department dated 12.11.2018 with admissible interest.

2.Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

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

4.According to the petitioner, he was appointed as Agricultural Officer in the year 1985. According to the petitioner, right from the beginning he has been victimized on various aspects



of the issues which prompted to approach the Tamil Nadu Administrative Tribunal and also this Court and got the orders. While so, on one occasion, he was placed under suspension on the allegation that he misappropriated a sum of Rs.3,90,000/- and later the suspension was revoked and he was reinstated and transferred to Paramakudi as Assistant Director of Agriculture. According to the petitioner, since his health condition became worse, he applied for Voluntary Retirement Scheme. In the mean time, the 1st respondent vide G.O.(3D).No.161 Agricultural (VN) Department dated 12.11.2018 imposed punishment of compulsory retirement and he was also relieved on 15.11.2018. The grievance of the petitioner is that he was not paid the terminal benefits and pension. In this regard, he made a representation dated 23.01.2019 and also made representations on 19.06.2019, 03.02.2021 seeking to regularize the suspension period. By order in G.O.(3D) No.144 Agriculture (VN7) Department, dated 20.07.2020, his suspension period was regularized. Now, the petitioner has come forward with the present writ petition seeking a direction to the respondents to settle the compulsory retirement benefits including monthly pension since despite his representations, no action was forthcoming.

5.The learned counsel for the petitioner would submit that the respondents may be directed to consider the petitioner's representation dated 03.02.2021 in accordance with law.

6.The learned Standing counsel appearing for the respondents would submit that the petitioner's representation would be duly considered if he is entitled for the said terminal benefits as per Rules and appropriate orders will be passed in accordance with law.

7.Considering the submissions made by the learned counsel on either side and also considering the limited scope of prayer as sought by the petitioner, this Court, without expressing any opinion on merits, directs the second respondent to consider the petitioner's representation dated 03.02.2021 on merits and in accordance with law within a period of twelve(12) weeks from the date of receipt of a copy of this order.

8.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

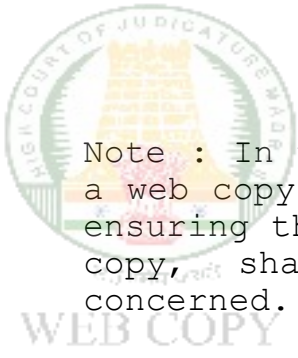
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/ /2021

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



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 Secretary,
State of Tamil Nadu,
Agriculture Department/
Agriculture Production Commissioner,
Secretariat, Chennai.
- 2.The Director of Agriculture,
Chepuak,
Chennai-600 005.
- 3.The Joint Director of Agriculture,
Ramanathapuram,
Ramanathapuram District.

+1 CC to M/s.V.PANNEER SELAM, Advocate (SR-30830[F] dated 30/09/2021)

+1 CC to M/s.SPL.GP (SR-30717[F] dated 30/09/2021)

**W.P (MD) No.17699 of 2021
29.09.2021**

**KS (CO)
RS (28.10.2021) 3P 6C**