



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2021

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD)No.17594 of 2021

C.Gurusamy

... Petitioner

vs.

1.The Principal Secretary,
Finance (Pension) Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.

2.The Principal Accountant General (A&E),
Government of Tamil Nadu,
Anna Salai, Chennai-600 009.

3.The District Treasury Officer,
District Treasury Office,
Dindigul District, Dindigul.

4.The Sub-Treasury Officer,
Sub-Treasury Office,
Nilakottai, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to pay the arrears of 20% Additional Pension along with 18% interest from the date of 16.10.2019 to till the date of payment and continue to pay the 20% additional pension along with monthly pension to the petitioner as per G.O.Ms.No.42, Finance (Pension) Department, dated 07.02.2011 on the basis of the petitioner's representation, dated 22.04.2021.

For Petitioner : Mr.R.R.Kannan

For R1, 3 and 4 : Mr.A.K.Manikkam
Government Advocate

For R-2 : Mr.P.Gunasekaran

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents to pay the arrears of 20% Additional Pension along with 18% interest from the date of 16.10.2019 to till the date of payment and continue to pay the 20% additional pension along with monthly pension to the petitioner as per G.O.Ms.No.42,



Finance (Pension) Department, dated 07.02.2011 on the basis of the petitioner's representation, dated 22.04.2021.

2.Heard, Mr.R.R.Kannan, learned Counsel for the petitioner, Mr.A.K.Manikkam, learned Government Advocate appearing for the respondents 1, 3 and 4 and Mr.P.Gunasekaran, the learned Counsel for the second respondent.

3.Though the Writ Petition is filed to give positive direction to the respondents to pay 20% additional pension, the learned Counsel for the petitioner now states that the petitioner will be satisfied, if a direction is issued to the fourth respondent to consider the petitioner's representation, dated 22.04.2021 within a time stipulated by this Court.

4.Having regard to the limited scope of prayer, that is now sought before this Court by the learned Counsel for the petitioner, without expressing any opinion on the merits of the petitioner's case, this Writ Petition is disposed of with a direction to the fourth respondent to consider the representation of the petitioner, dated 22.04.2021 and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

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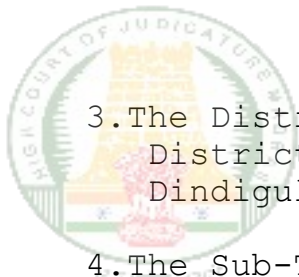
Sub Assistant Registrar(CS)

tmg/cmr

To

1.The Principal Secretary,
Finance (Pension) Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.

2.The Principal Accountant General (A&E),
Government of Tamil Nadu,
Anna Salai, Chennai-600 009.



3.The District Treasury Officer,
District Treasury Office,
Dindigul District, Dindigul.

4.The Sub-Treasury Officer,
Sub-Treasury Office,
Nilakottai, Dindigul District.

+1 CC to M/s.R.R.KANNAN, Advocate (SR-30558[F] dated 28/09/2021)

+1 CC to M/s.SPL.GP (SR-30586[F] dated 29/09/2021)

W.P. (MD) No.17594 of 2021

28.09.2021

RK (05.10.2021) 3P 7C