



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.11565 of 2017

K.A.Ramasamy (Retired PC.3266)

... Petitioner

Vs.

1.The Superintendent of Police,
Tiruchirappalli District,
District Police Office,
Tiruchirappalli.

2.The Additional Superintendent of Police (Head Quarters),
District Police Office,
Tiruchirappalli.

3.The Treasury Officer,
District Treasury,
Theni.

4.The Sub Treasury Officer,
Sub Treasury,
Uthamapalayam,
Theni District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to forward the original Pension Revision Order dated 15.09.2016 issued by the Accountant General (A & E), Chennai to the 3rd respondent forthwith and to direct the 3rd respondent / 4th respondents to revise the pension of the petitioner, as per Pension Revision Order dated 15.09.2016, with due revision of pension from 01.01.1996 as per G.O.Ms.No.174 Finance (Pay Cell) Department dated 21.04.1998 and from 01.01.2006, as per G.O.Ms.No.235 Finance (Pay Cell) Department, dated 01.06.2009 as ordered in para 15 of the G.O.Ms.No.363, dated 23.08.2013 and disburse the arrears of pension from 01.06.1992 with interest at 12% per annum within a time limit to be fixed by this Court.

For Petitioner
For Respondents

: Mr.A.Thirumurthy
: Mr.A.Karthick
Government Advocate



O R D E R

This writ petition has been filed for a direction to the second respondent to forward the original Pension Revision Order dated 15.09.2016, issued by the Accountant General (A & E), Chennai to the third respondent forthwith and to direct the respondents 3 and 4 to revise the pension of the petitioner, as per Pension Revision Order dated 15.09.2016, with due revision of pension from 01.01.1996, as per G.O.Ms.No.174 Finance (Pay Cell) Department dated 21.04.1998 and from 01.01.2006, as per G.O.Ms.No.235 Finance (Pay Cell) Department, dated 01.06.2009, as ordered in Para-15 of the G.O.Ms.No.363, dated 23.08.2013 and disburse the arrears of pension from 01.06.1992 with interest at 12% per annum.

2. The case of the petitioner is that the petitioner served as Police Constable in Trichy District and voluntarily retired from service on 31.05.1992, after completing 30 years and 11 months of qualifying service. The petitioner was sanctioned the basic pension of Rs.661/- per month as on 01.06.1992. Subsequently, the petitioner's basic pension was revised with effect from 01.01.1996, as per G.O.(Ms).No.174, Finance (Pay Cell) Department, dated 21.04.1998 and with effect from 01.01.2006, as per G.O.(Ms.)No.235 Finance (Pay Cell) Department, dated 01.06.2009, by the Treasury Officer / Sub Treasury Officer. Now, the petitioner is drawing the pension at the Sub Treasury, Uthamapalayam. While so, the Principal Accountant General of Tamil Nadu (A & E), Chennai has issued the order dated 15.09.2016, revising his pension at Rs.812/- per month, from 01.06.1992 and the said communication was also marked to the petitioner. However, till date the said order was not implemented in favour of the petitioner. Hence, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the second respondent to implement the order, dated 15.09.2016, in favour of the petitioner.

4. The learned Government Advocate appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to implement the order, dated 15.09.2016, in favour of the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.



6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

To

1.The Superintendent of Police,
Tiruchirappalli District,
District Police Office,
Tiruchirapalli.

2.The Additional Superintendent of Police (Head Quarters),
District Police Office,
Tiruchirapalli.

3.The Treasury Officer,
District Treasury, Theni.

4.The Sub Treasury Officer,
Sub Treasury, Uthamapalayam,
Theni District.

+1 CC to M/s.A.THIRUMURTHY, Advocate (SR-11428[F] dated 16/03/2021)

+1 CC to M/s.SPL GP (SR-11871[F] dated 17/03/2021)

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