



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.1531 of 2017

and

W.M.P. (MD) .No.1252 of 2017

S.Gnanamani

... Petitioner

Vs.

1.The Principal Account General (A & E),
Accountant General Office,
Chennai 18.

2.The Sub Treasury Officer,
Vilavancode Treasury Office,
Vilavancode,
Kanyakumari District.

... Respondents

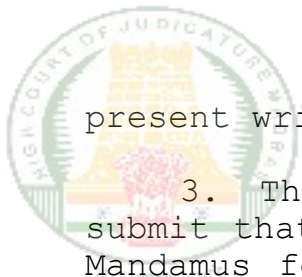
Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents from making any deductions from the petitioner's pension arbitrarily from the petitioner's pension pay order bearing PPO No.A301279, by considering the petitioner's objections dated 05.12.2016.

For Petitioner	: Mr.S.C.Herold Singh
For R1	: Mr.P.Gunasekaran
For R2	: Mr.M.Muthugeethayan
	Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus forbearing the respondents from making any deduction from the petitioner's pension, by considering the petitioner's objection dated 05.12.2016.

2. The case of the petitioner is that he joined the service as Elementary Grade Teacher and he was promoted as Secondary Grade Teacher. Thereafter, he was retired on 31.10.1986. At the time of retirement, the petitioner was granted selection grade and special grade. While so, the second respondent has issued a notice, dated 15.11.2016, stating that arrears of Rs.6,42,562/- was paid in excess and it was decided to recover the said amount from the pension payable to the petitioner from August 2016, for which, the petitioner has made an objection on 05.12.2016. However, the same was not considered till date. Hence, the petitioner has filed the



present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that though the petitioner has filed the writ petition for a Mandamus forbearing the respondents from making any deduction from the petitioner's pension, the impugned order was passed on 15.11.2016, for which, the petitioner has submitted his objection on 05.12.2016. Hence, this Court may issue a direction to the second respondent to consider the objection made by the petitioner, dated 15.11.2016, on merits and in accordance with law, within a specified period.

4. The learned Special Government Pleader appearing for the second respondent 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 consider the petitioner's objection, dated 05.12.2016 and pass appropriate orders, on merits and in accordance with law, 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. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

To

1.The Principal Account General (A & E),
Accountant General Office, Chennai 18.

2.The Sub Treasury Officer,
Vilavancode Treasury Office,
Vilavancode, Kanyakumari District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-9857[F] dated 10/03/2021)

+1 CC to M/s.SPL GP (SR-10202[F] dated 10/03/2021)

W.P. (MD)No.1531 of 2017

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NSM(CO)

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