



W.P.No.1389 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.11.2022

Coram:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.1389 of 2022

S.Chandramohan

.. Petitioner

Vs.

1. The Additional Chief Secretary to Govt.,
Home (Tr.II) Department,
Secretariat, Fort St.George,
Chennai-600 009.

2. The Transport Commissioner,
Office of the Transport Commissioner,
Ezhilagam,
Chennai-600 005.

3. The Deputy Commissioner of Transport-II,
Office of the Transport Commissioner,
Ezhilagam,
Chennai-600 005.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent to consider petitioner's representation dated 19.09.2021.

For petitioner : Mr.A.S.Baalaji

For respondents: Mr.L.S.M.Hasan Fizal, Addl.G.P. for R-1

Mr.P.Sathish, Addl.G.P. for RR-2 & 3

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ORDER

This Writ Petition has been filed for Mandamus to the first respondent to consider the petitioner's representation, dated 19.09.2021 on merits and in accordance with law and pass final orders thereafter.

2. The petitioner claims that, despite his retirement in the year 2008 itself, he is yet to be paid his retirement benefits. Earlier, the retirement benefits were not paid to the petitioner on the ground that a criminal case was pending against him. According to the petitioner, the said criminal case has now ended in acquittal. Therefore, the petitioner claims that he is entitled for retirement benefits and all other monetary benefits and also notional promotion which he might have got while in service if no criminal case was pending against him. No prejudice would be caused to the respondents, if the petitioner's representation stated supra, is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

3. Accordingly, this Court directs the first respondent to pass final orders on the petitioner's representation dated 19.09.2021 seeking for payment of his

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retirement benefits and other monetary benefits and also for notional promotion, since the criminal case which was earlier pending, has ended in acquittal of the petitioner. The above exercise shall be done within a period of 12 weeks from the date of receipt of a copy of this order.

4. With the above observations and directions, this Writ Petition is disposed of. There shall be no order as to costs.

09.11.2022

Index: Yes/no

Speaking Order: Yes/no
CS

To

1. The Additional Chief Secretary to Govt.,
Home (Tr.II) Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Transport Commissioner,
Office of the Transport Commissioner,
Ezhilagam,
Chennai-600 005.
3. The Deputy Commissioner of Transport-II,
Office of the Transport Commissioner,
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ABDUL QUDDHOSE, J

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