



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2022

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THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No. 9874 of 2021

T.Balakrishnan

..Petitioner

Vs

1. The Principal Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepaukkam
Chennai 600 005

2.The District Collector,
Collectorate,
Udhagamandalam, The Nilgiris.

3.The Revenue Divisional Officer,
RDO's Office,
Gudalur, The Nilgiris.

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents No. 1 to 3 to consider the petitioner Representation dated 22.12.2020 consequentially grant him all the monetary pension and service benefits on par with my next junior in Rotation XV Turn No. 29-GT - Mr. V. Narayanan The Nilgiris of the regular list of Deputy collectors panel for the year 1997 1998 in the Government order (Ms) No. 17 Revenue Ser.1 (2) 8th January 1998 published in the Gazatte dated 08.04.1998.

For Petitioner : M/s.S.Valarmathi.

For Respondents : Mr.A.M.Ayyadurai, GA

O R D E R

The prayer sought for in the present writ petition is to direct the Respondents No. 1 to 3 to consider the petitioner Representation dated 22.12.2020 consequentially grant him all the monetary pension and service benefits on par with my next junior in Rotation XV Turn No. 29-GT - Mr. V. Narayanan The



Nilgiris of the regular list of Deputy collectors panel for the year 1997 1998 in the Government order (Ms) No. 17 Revenue Ser.1 (2) 8th January 1998 published in the Gazattee dated 08.04.1998.

2. The learned counsel appearing for the petitioner has submitted that the petitioner was directly recruited as Assistant at Taluk Office, Coonoor on 07.10.1974 and subsequently, promoted as Tahsildar on 28.07.1998. The 2nd respondent has issued a charge memo dated 20.07.1998 to the petitioner and framed charges. The 3rd respondent submits the enquiry report to the 2nd respondent stating that no violation or mismanagement happened as framed in the charges and held that the charges are not proved. The respondent disagreed with the findings of the enquiry officer's report and passed final orders. The said order of the 2nd respondent was challenged before the Tamil Nadu Appellate Tribunal in O.A.No. 8295 of 1999. Subsequently, in the year 2007, the said application filed before the TAT was renumbered as W.P.No. 950 of 2007 before this Court. This Court by order dated 20.07.2010 quashed the order of recover proceedings passed by the 2nd respondent. Since the order of this Court has become final, the petitioner has made representation to the respondents on 22.12.2020, seeking retirement benefits and pensionary benefits to the petitioner. The said representation is still pending without any action on the part of the respondent, hence the present writ petition.

3. The learned Government Advocate has submitted that if any such representation is received from the petitioner, the same shall be considered and orders will be passed by the 1st respondent in accordance with law, within a time as stipulated by this Court.

4. Heard both sides and perused the materials available on record.

5. In view of the submissions made by the learned counsel appearing for the petitioner as well as the learned Government Advocate and taking note of the fact that the petitioner's representation is pending from the year 2020, this Court, in the interest of justice, is inclined to issue directions to the 1st respondent to consider the petitioner's representation dated 22.12.2020 and pass appropriate orders.

6. Accordingly, the 1st respondent is directed to consider the petitioner's representation dated 22.12.2020 seeking for retirement and pensionary benefits and pass



appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably within a period of six (6) months from the date of receipt of a copy of this Order. It is needless to say that the petitioner shall produce a copy of his representation already sent along with the proof of acknowledgment to the 1st respondent.

7. With the above directions, the writ petition is disposed of. No costs.

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

1. The Principal Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepaukkam, Chennai-600 005.
2. The District Collector,
Collectorate,
Udhagamandalam, The Nilgiris.
3. The Revenue Divisional Officer,
RDO's Office,
Gudalur, The Nilgiris.

+1 CC to M/s.S. Valarmathi, Advocate sr 7666
+1 CC to The Government Pleader sr 8343.

W.P.No.9874 of 2021

PMK(CO)
SP(17/03/2022)