



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD) No. 1893 of 2022

and

W.M.P. (MD) Nos. 1630 and 1631 of 2022

P.Shanmugavel

... Petitioner

-Vs-

The Commissioner / Special Officer,
Thoothukudi Municipal Corporation,
Thoothukudi.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the impugned order of stoppage of pension passed by the respondent in Na.Ka.No.C9/845/2012 dated 22.10.2021 and quash the same and consequently directing the respondent herein to continuously pay monthly pension to the petitioner from the month of September 2021.

For Petitioner	: Mr.D.Srinivasaragavan
For Respondent	: Mr.S.Saji Bino Special Government Pleader

O R D E R

This Writ Petition is filed as against the order of stoppage of pension to the petitioner passed by the respondent in Na.Ka.No.C9/845/2012 dated 22.10.2021.

2. The grievance of the petitioner is that the petitioner is drawing pension from 2016 onwards and all of a sudden, the pension has been stopped from the month of September, 2021, by citing objection raised by Audit Department, without providing any opportunity to the writ petitioner.

3. Mr.S.Saji Bino, learned Special Government Pleader takes notice for the respondent and submits that the petitioner is not entitled for the pension, as per the objection raised by the Audit Department, dated 22.10.2021.

4. Considering the fact that the impugned order is passed without providing an opportunity to the petitioner, this Court is inclined to dispose of the Writ Petition in the admission stage



itself with a liberty to the respondent to issue notice to the petitioner by providing a copy of the audit objection and afford an opportunity to the petitioner within a period of two weeks from the date of receipt of a copy of this order and take a decision thereafter within a period of four weeks.

WEB COPY

5. Accordingly, this Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vji

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

The Commissioner / Special Officer,
Thoothukudi Municipal Corporation,
Thoothukudi.

+1 CC to M/s.D.SRINIVASARAGAVAN, Advocate (SR-3503[F] dated 01/02/2022)

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USK/22.03.2022/2P/3C