



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD) No.23163 of 2021

A.Chinniah

... Petitioner

versus

1. The Secretary,
Revenue and Disaster Management
Department,
Fort St. George,
Chennai - 600 009.

2. The District Collector,
Ariyalur District,
Ariyalur - 621 704.

3. The Revenue Divisional Officer,
Udayarpalayam Taluk,
Udayarpalayam - 621 804.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents to pay service benefits, including gratuity, arrears of pay and pension due to the petitioner.

For Petitioner	:	Mr.S.Ramakrishnan for M/s.K.S.Vamsidhar
For Respondents	:	Mr.V.Nirmal Kumar, Government Advocate

ORDER

The writ petition is filed for a mandamus, directing the respondents to pay service benefits, including, gratuity, arrears of pay and pension due to the petitioner.

2. The learned counsel appearing for the petitioner submits that the petitioner was a Village Munsif before 1980 and he was appointed as Village Administrative Officer from 1982. In the year 1986, he was placed under suspension, pursuant to his involvement in a criminal case. Subsequently, the order of suspension was revoked and he joined duty on 28.12.1992. However, the said order was cancelled by the District Revenue Officer, Tiruchirapalli and he was relieved from duty on 04.05.1995. Thereafter, he was acquitted from the criminal case. Therefore, he was allowed to join duty as Village Administrative Officer on 07.04.1997 and he retired from service on 31.07.1998.



3. The learned counsel for the petitioner further submits that the petitioner submitted an application to regularize his period of suspension from 02.09.1986 to 27.12.1992. But, the said application was rejected. Challenging the order of rejection, he filed O.A.No.5057 of 2000, which was transferred to this Court and renumbered as W.P.No.46793 of 2006. This Court, by order dated 05.10.2010, directed the respondents to regularize the service of the petitioner for the period of suspension from 02.09.1986 to 27.12.1992 and to grant all monetary benefits, within a period of 12 weeks. Despite the lapse of 11 years, the respondents have not granted any service benefits to the petitioner. Therefore, the petitioner is before this Court.

4. Mr.V.Nirmal Kumar, learned Government Advocate appearing for the respondents, submits that the period of suspension was already regularized vide proceedings dated 13.01.2022 and the respondents are taking necessary steps to disburse the eligible amount of retirement benefits due to the petitioner within a period of three months.

5. In view of the submission made by the learned Government Advocate, the writ petition is disposed of with a direction to the respondents to disburse the eligible amount of retirement benefits to the petitioner, within a period of ten (10) weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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

1. The Secretary,
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+1 CC to M/s.K.S.VAMSIDHAR, Advocate (SR-4088[F] dated 03/02/2022)

+1 CC to M/s.SPL.GP (SR-4193[F] dated 04/02/2022)

W.P (MD) No.23163 of 2021

03.02.2022

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