



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.1916 of 2023

T.Dhanasekaran

.. Petitioner

.Vs.

1. The Secretary to Government
Revenue and Disaster Management Department
Fort St George, Chennai-08.

2. The Director of Survey and Settlement
Chepauk, Chennai-05.

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 2nd respondent to superannate the petitioner in view of the dropping of further action on the charge framed against the petitioner vide G.O.(2D) No.246 dated 11.11.2022 and to settle the retirement benefits within reasonable time.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.Ru.Dinesh Raj Kumar
Additional Government Pleader

ORDER

This writ petition has been filed directing the 2nd respondent to consider the representation made by the petitioner on 22.11.2022, wherein the petitioner requested



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the 2nd respondent to drop further action on the charges framed against the petitioner and to permit the petitioner to retire from service and to pay all his retirement benefits.

2.The case of the petitioner is that he entered service in the year 1988 as field surveyor/draftsman in the year 1990. Subsequently, the petitioner was promoted as a Deputy Inspector of Surveyor/head surveyor in the year 2013. The superannuation of the petitioner fell in the year 2017. Further the petitioner was placed under suspension and was not allowed to retire from service by an order 20.12.2017.

3.An enquiry officer was appointed to conduct the enquiry and a report was submitted to the 1st respondent by the enquiry officer on 11.11.2022, recommending for dropping the departmental action. In view of the above development, the petitioner made a representation on 22.11.2022, to the 2nd respondent requesting the 2nd respondent to allow the petitioner to retire from service and to settle all the retirement benefits to the petitioner. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.S.Sivakumar, learned counsel for the petitioner and Mr.Ru.Dinesh Raj Kumar, learned Additional Government Pleader appearing for the respondents.

5.Taking into consideration the limited relief sought for in the present writ



petition and without going into the merits, there shall be a direction to the 2nd respondent to consider the representation made by the petitioner on 22.11.2022 on its own merits and in accordance with law and a final decision shall be taken by the 2nd respondent, within a period of **four weeks** from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with all the relevant documents and also a copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

24.01.2023

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case: Yes/No

To

1. The Secretary to Government
Revenue and Disaster Management Department
Fort St George, Chennai-08.
2. The Director of Survey and Settlement
Chepauk, Chennai-05.



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N. ANAND VENKATESH, J.

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