



W.P.No.25358 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2023

CORAM:

**THE HONOURABLE MR. JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P.No.25358 of 2011

S.Rasool Khan
Tahsildar (Rtd.)

...Petitioner

Vs

1. The Secretary to Government
Revenue Department
Secretariat, Chennai-600 009.
2. The Principal Commissioner and
The Commissioner Revenue
Administration, Chepauk
Chennai-600 005.
3. The Collector
Coimbatore District
Coimbatore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings in Letter No: 28794/Ser-10(1)/2000-43 dated 11.09.2007 of the 1st Respondent and quash the same and to direct the Respondents



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to pass order immediately settling the retiral and pensionary benefits on the fixation of last drawn pay in the post of Deputy Collector and all other consequential benefits arising out of his service rendered in Revenue Department with 12% interest on the arrears thereof from the date when the amount fell due till the date of its actual payment

For Petitioner	:	No Appearance
For Respondents	:	Mr.T.K.Saravanan Government Advocate

ORDER

This writ petition is filed to issue a writ of Certiorarified Mandamus challenging the order of first respondent dated 11.09.2007 and consequently, to direct the respondents to pass orders settling the retiral and pension benefits on the fixation of last drawn pay in the post of Deputy Collector and all other consequential benefits arising out of his service rendered in the Revenue Department with 12% interest on the arrears thereof from the date when the amount fell due till the date of its actual payment.

2. This writ petition is filed in the year 2011. On various years and dates, more than 20 hearings have taken place. Today, also there is no



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representation for the learned counsel for the petitioner.

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3. Be that as it may, the respondents have filed the counter affidavit and paragraph No.20 reads as follows:

'20) Regarding the averments made in Ground-F of the affidavit, it is submitted that the Government in their order G.O.(2D) No.213, Revenue (SER-I) Department, dated 12.05.2011 have directed to promote the writ petitioner as Deputy Collector with effect from 12.05.2000 on par with his junior and have also ordered that he is entitled for monetary benefits with effect from 30.09.2002 notionally. For the proven charges, the Government in their order G.O.(2D) No.500, Revenue [SER-10(1)] Department dated 09.10.2012 have imposed a punishment of pension cut of Rs.500/- per month for the rest of his life. Further, the 3rd respondent has already passed an order in his proceedings No.15825/2011/H3, dated 18.10.2011 and the pay has been fixed in the cadre of Deputy Collector and all the monetary, terminal and pensionary benefits have been drawn and paid to the writ petitioner. Thus, the name of the writ petitioner has been included in the panel of Deputy Collector; his pay has been fixed in the cadre of Deputy Collector and all the monetary, terminal and pensionary benefits have been drawn and paid to the writ



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petitioner and hence the action of the first respondent is not arbitrary and is justifiable.'

4. Thus, it can be seen that the grievance as expressed by the petitioner in this writ petition will not survive in view of further orders passed in the years 2011 and 2012 and in view of the same, no further orders need to be passed in the present writ petition.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

27.11.2023

Index:Yes
Speaking order
Neutral Citation : No

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To

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Revenue Department
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Chennai-600 005.

3. The Collector
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D.BHARATHA CHAKRAVARTHY.J.,

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