



W.P.No.20448 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM :

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

W.P.No.20448 of 2013

S.A.Muthiah

...Petitioner

Vs.

1. The Secretary to Government of Tamil Nadu
Rural Development Department,
Secretariat, Chennai.
2. The Director of Rural Development,
Panagal Building,
Saidapet, Chennai - 600 014.
3. The District Collector,
Ramanathapuram.
4. The Commissioner,
Thiruppulani Panchayat Union,
Thiruppulani,
Ramanathapuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus, calling for records of the impugned order passed by the 3rd respondent in Na.Ka.V4/77365/2008 dated 11.11.2011 and to quash the same and consequently, direct the respondents to grant pension and other terminal benefits to the petitioner.



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For petitioner : No appearance
For R1 to R3 : Ms.C.Sangamithirai
Special Government Pleader
For R4 : No appearance

ORDER

This writ petition is filed seeking challenging the proceedings in Na.Ka.V4/77365/2008 dated 11.11.2011 of the third respondent and consequently, direct the respondents to grant pension and other terminal benefits to the petitioner.

2. The facts in brief, as culled out from the affidavit filed in support of this writ petition, are as follows:

2.1. The petitioner was temporarily appointed as Rural Practitioner also known as Rural Medical Officer by the Commissioner, Thiruppulani Panchayat Union *vide* proceedings Roc.No.C3/1453/1966 dated 30.11.1966 and was granted regular time scale of pay with effect from 01.04.1984 onwards and he retired from service after attaining the age of superannuation on 31.12.1989 after passing 21 years of uninterrupted service.

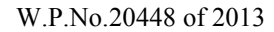


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2.2. The petitioner approached the third respondent on several occasions to send his proposal for pension and he was also informed that he was eligible for pension. The petitioner addressed a representation dated 05.07.2007 and there was no response for the same. Subsequently, he filed W.P.No.7306 of 2009 and directions were issued by this Court on 22.04.2009 to pass appropriate orders on the representation of the petitioner dated 05.07.2007 by taking into consideration G.O.(Rt) No.164, Rural Development Department (E5), dated 24.09.2007. Since the petitioner was not granted pension pursuant to the impugned order passed in Na.Ka.No.V4/77365/2008 dated 11.11.2011 rejecting the claim for pension, the petitioner has filed this writ petition.

3. No representation on behalf of the petitioner as well as for the fourth respondent.

4. The respondents 1 to 3 have filed a counter affidavit and submitted that the first respondent is taking steps to sanction the revised pension basing on G.O.(Ms)(2B) No.77, dated 04.09.2013.



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DR. D.NAGARJUN,J.

vca

3. The District Collector,
Ramanathapuram.
4. The Commissioner,
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