



W.P.No.5035 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **25.07.2023**

CORAM :

THE HON'BLE MR. JUSTICE J. SATHYA NARAYANA PRASAD

W.P.No.5035 of 2020

K.Chelladurai

... Petitioner

Versus

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The Sub Collector,
Tiruppur, Tiruppur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to direct the second respondent authority to grant retirement benefit including all back wages, service benefits, increments, eligible promotions and all other attendant benefits and regular pension to the petitioner by considering the petitioner representation dated 17.05.2019 and within a time to be stipulated by this Court.

For Petitioner : Mr. A.V.Raja

For Respondents : Mr. A.M. Ayyadurai,
Government Advocate

ORDER

This Writ Petition has been filed, seeking a direction to direct the second respondent authority to grant retirement benefits including all back



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wages, service benefits, increments, eligible promotions and all other attendant benefits and regular pension to the petitioner by considering his representation dated 17.05.2019 and within a stipulated time fixed by this Court.

2.The case of the petitioner is that he was appointed as Village Administrative Officer in the respondents office through Tamil Nadu Public Service Commission in the year 1984. Though he has cleared all the relevant Departmental Examinations to the promotion post of Assistant, he was not considered by the respondents. According to the petitioner, a corruption case was registered against him, without holding any enquiry, by an order dated 16.04.2004, the 2nd respondent dismissed the petitioner from service. Later pursuant to the directions of this Court in W.P.No.25080 of 2011, the respondents reinstated the petitioner in service vide Proceeding dated 19.01.2012. The grievance of the petitioner is that the reinstatement order did not clarify about his backwages, increments, promotions and the continuity of suspended period. Hence, the petitioner has been repeatedly submitting his representations before the respondents and filing the petitions before the Courts, however, till date, his claims



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projected through the representations have not been not considered by the respondents. Hence, the present Writ Petition.

3. Learned Counsel for the petitioner submits that the petitioner had made several representations before the respondents and had also filed many petitions before the Tribunal and this Court, in which, he obtained favourable orders, despite the same, the grievances of the petitioner towards promotions, backwages, increments and continuity of service etc., were not considered by the respondents and the petitioner was pushed from pillar to post till date. Therefore, the petitioner was constrained to file the present Writ Petition before this Court, seeking the limited prayer of direction and to consider his representation.

4. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing on behalf of the respondents and perused the material records of the case.

5. Considering the above facts and circumstances of the case, this Court is of the opinion that without going into the merits of the case, it



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would suffice to direct the second respondent to consider the petitioner's representation dated 17.05.2019 and pass an appropriate orders on merits and in accordance with the law, and in the light of the proceedings of the District Revenue Officer, in Na.Ka.1471/2015/Ee1, dated 06.07.2018, within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction and observation. No costs.

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

25.07.2023

klr

To:

- 1.The District Collector,
Tiruppur District,
Tiruppur.
- 2.The Sub Collector,
Tiruppur, Tiruppur District.



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J.SATHYA NARAYANA PRASAD,J.

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