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W.P. No. 11016 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 11016 of 2023

A.Jubilee Manoharan

... Petitioner

-VS-

1. The Government of Tamil Nadu
Represented by its Secretary,
Revenue and Disaster Management Department,
Services Wing, Services, 2 (2) Section,
Fort St.George,
Chennai – 600009.
2. The Special Commissioner of Revenue Administration,
Chepauk,
Chennai – 600005.
3. The District Collector,
Thiruvallur District.
4. The Accountant General (A&E/G&SS),
DMS Compound,
Chennai – 600018.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to consider the Petitioner's representation dated 30.12.2019 and 10.02.2020 and to pass appropriate orders thereon for (1) regularising the period of his absence from (i) 09.03.2009 to 31.05.2009 (ii) 01.06.2009 to 29.07.2010 (iii) 01.05.2011 to 21.06.2022 and (iv) 06.08.2012 to 30.11.2012 and (2)



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incorporating the period of foreign service rendered by him from 01.12.2012 to 10.06.2023 in his service book after causing a service verification entry, in the light of G.O. (2D) No. 334, Revenue and Disaster Management Department, Services Wing, Service 2(3) Section dated 29.10.2018 within a specified time that may be stipulated by this Court so as to enable him to get all his retirement benefits with interest for the delayed disbursement.

For Petitioner : Mr. M.Elumalai

For Respondents : Mr. N.Naveenkumar,
Government Advocate (for R1 to R3)

Mrs. Hema Murali Krishnan (for R4)

ORDER

Heard Mr. M.Elumalai, Learned Counsel for the Petitioner, Mr. N.Naveenkumar, Learned Government Advocate, who takes notice for the First to Third Respondents, and Mrs. Hema Murali Krishnan, Learned Counsel, who takes notice for the Fourth Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made representations dated 30.12.2019 and 10.02.2020 to regularise the period of his absence from 09.03.2009 to 31.05.2009, 01.06.2009 to 29.07.2010, 01.05.2011 to 21.06.2022 and 06.08.2012 to 30.11.2012 and incorporate the period of



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foreign service rendered by him from 01.12.2012 to 10.06.2023 in his service book after causing a service verification entry in the light of G.O. (2D) No. 334, Revenue and Disaster Management Department, Services Wing, Service 2(3) Section dated 29.10.2018 issued by the Government of Tamil Nadu, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representations dated 30.12.2019 and 10.02.2020 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain his position in that regard;



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(iv) a reasoned order shall be passed dealing with each of the contentions

raised on merits and in accordance with law and the decision taken

communicated by 31.08.2023 under written acknowledgment; and

(v) the report of such compliance shall be filed before the Registrar

(Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

11.04.2023

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Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 06.06.2023.

To

1. The Secretary,
The Government of Tamil Nadu
Revenue and Disaster Management Department,
Services Wing, Services, 2 (2) Section,
Fort St.George,
Chennai – 600009.
2. The Special Commissioner of Revenue Administration,
Chepauk,
Chennai – 600005.
3. The District Collector,
Thiruvallur District.



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4. The Accountant General (A&E/G&SS),
DMS Compound,
Chennai – 600018.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai.



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P.D. AUDIKESAVALU, J.

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