



W.P.No.26072 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.26072 of 2023 and
W.M.P.No.25488 of 2023

R.Durairajulu

... Petitioner

Versus

1.The Government of Tamil Nadu,
Department of Municipal Administration & Water Supply,
Rep by its Secretary,
Secretariat, Chennai – 600009.

2.The Director of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road,
MRC Nagar,
Raja Annamalaipuram,
Chennai – 600028.

3.The Commissioner,
Coimbatore Corporation,
Coimbatore- 641001.

4.Assistant Commissioner (Accounts),
Coimbatore Corporation,
Coimbatore- 641001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue writ, orders or directions more particularly, Writ of Mandamus directing the 1st respondent to act upon the recommendation of the 3rd respondent dated 28.08.2020 and to waive the condition of passing the Tamil Type Writing Test (Higher) by taking into consideration of the



W.P.No.26072 of 2023

retirement of the petitioner on 31.03.2020, and to release the retirement benefits of the petitioner including of pension within the stipulated time.

WEB COPY

For Petitioner : Mr.D.Muthukumar for
M/s.Paul and Paul
For R1 & R2 : Mr.V.Jeevagiridharan,
Additional Government Pleader
For R3 & R4 : Mr.N.Umapathi

ORDER

This Writ Petition has been filed to direct the 1st respondent to act upon the recommendation of the 3rd respondent, dated 28.08.2020 and to waive the condition of passing the Tamil Type Writing Test (Higher) by taking into consideration of the retirement of the petitioner on 31.03.2020, and to release the retirement benefits of the petitioner including pension within the stipulated time.

2.The contention of the learned counsel appearing for the petitioner is that the petitioner retired from service as Junior Assistant on 31.03.2020, however, his retirement benefits have not been settled by the 3rd respondent on the ground that there was an audit objection in the year 2013-2014 regarding that he did not pass Tamil Typewriting (Higher) within a period of two years from 17.04.1997. Further contention that the 3rd respondent has already recommended to relax the qualification of Tamil Typewriting



W.P.No.26072 of 2023

(Higher) and ordered to pay a provisional pension to the petitioner by taking into account the 50% of his last drawn salary, however, the same has not been considered. Hence, seeks direction of this Court.

3.Mr.P.Baladhandayutham, learned Special Government Pleader accepts notice on behalf of the respondents 1 and 2 and Mr.N.Umapathi, learned counsel takes notice for the respondents 3 and 4.

4.The learned Special Government Pleader appearing for the 1st respondent submitted that the 1st respondent sought for some details from the 3rd respondent, once the same are received, appropriate orders will be passed. However, the learned counsel for the petitioner submitted that the details sought for by the 1st respondent are also furnished by the 3rd respondent.

5.In such view of the matter, the 1st respondent is directed to pass an orders on merits and in accordance with law, on the recommendation of the 3rd respondent, within a period of two months, from the date of receipt of a copy of this order.



W.P.No.26072 of 2023

WEB COPY

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

07.09.2023

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

vv2

To

1. The Government of Tamil Nadu,
Department of Municipal Administration & Water Supply,
Rep by its Secretary,
Secretariat, Chennai – 600009.
2. The Director of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road,
MRC Nagar,
Raja Annamalaipuram,
Chennai – 600028.
3. The Commissioner,
Coimbatore Corporation,
Coimbatore- 641001.
4. The Assistant Commissioner (Accounts),
Coimbatore Corporation,
Coimbatore- 641001.



WEB COPY



W.P.No.26072 of 2023

N.SATHISH KUMAR, J.

vv2

W.P.No.26072 of 2023

07.09.2023