



W.P.No.6561 of 2017 &
W.M.P.No.7056 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.04.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.6561 of 2017 &
W.M.P.No.6561 of 2017

T.D.Shanmugam

... Petitioner

Vs.

1. The Principal Secretary to Government,
Chennai Metro water Supplies & Sewerage Board
Fort St.George, Chennai - 9
2. The Chairman,
Chennai Metro Water Supplies & Sewerage Board,
Fort St.George, Chennai - 9
3. The Managing Director,
Chennai Metro Water Supplies & Sewerage Board,
No.1, Pumping Station Road,
Chindadripet, Chennai – 2
4. The General Manager / Vigilance Officer
Chennai Metro Water Supplies & Sewerage Board,
No.1, Pumping Station Road,
Chindadripet, Chennai – 2
5. The Finance Director,
Chennai Metro Water Supplies & Sewerage Board,
No.1, Pumping Station Road,
Chindadripet, Chennai – 2

...Respondents



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Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 03.03.2017 by way of issuing a copy of the order vide proceedings no.CNWSSB/P&A/VC1/29114/2016 dated 03.01.2017 and any other proceedings regarding stopping of my monthly pension benefits and to direct the respondents to release the monthly pension benefits.

For Petitioner : No appearance

For Respondent : Mr.M.Shahjagan for R1
Special Government Pleader
Mr.Krishna Ravindran for R2 to R4
R5 – Served – Name printed
– No appearance.

ORDER

The present Writ Petition has been filed for an issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 03.03.2017 by way of issuing a copy of the order vide proceedings no.CNWSSB/P&A/VC1/29114/2016 dated 03.01.2017 and any other proceedings regarding stopping of my monthly pension benefits and to direct the respondents to release the monthly pension benefits.



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2. There is no representation for the petitioner. Heard the learned Special Government Pleader for the 1st respondent and learned counsel for the respondents 2 to 4 and perused the documents placed on record.

3. It is the case of the petitioner that the petitioner had worked as Senior Administrative / Senior Accounts Officer under the respondents and retired on superannuation on 31.05.2015, however, on account of taking revenge against the petitioner with an illegal motive, the 4th respondent taking undue advantage of his posting issued a show cause notice / memo dated 16.12.2016 asking the petitioner to give explanation for one letter sent by one Anbazhagan to the 4th respondent even without showing that letter to his eyes. Thereafter, the petitioner has also sent a legal notice dated 18.01.2017 to the respondents and the same was received by the respondents. After receiving the said notice, the respondents have intentionally, fraudulently and illegally deprived the petitioner's pension benefits, hence this petition.

4. The learned counsel appearing for the respondents 2 to 4 submits that the representation given by the petitioner on 29.01.2018 to release the pension amount withheld from January 2017 has been considered by the



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competent authority. As per the orders of the competent authority dated 13.04.2018, the pension withheld for the period from January 2017 has been released and paid to the petitioner. As such, no grievance of the petitioner is pending with the Board, thereby pleaded to dismiss the petition.

Considering the facts and circumstances of the case and taking note of the fact that the pension withheld for the period from January 2017 has been released and being paid to the petitioner regularly, as per orders of the competent authority dated 13.04.2018, this Court is of the view that nothing survives for further adjudication and hence, the present Writ Petition is hereby dismissed as infructuous. Consequently, connected miscellaneous petition is closed. No costs.

24.04.2023

Index : Yes/No
Internet : Yes/No
Speaking order / non speaking order

ssd



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V.BHAVANI SUBBAROYAN, J.,

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