



WEB COPY



WP.No.6695/2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.09.2023

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.No.6695/2017

Ekkambaram

... Petitioner

Versus

1.The Commissioner and Directorate
Department of Survey and Land Records
Government of Tamil Nadu
Ezhilagam, Chennai – 5.

2.The Regional Deputy Director,
Survey and Land Records,
Ezhilagam, Chennai-5.

3.The Assistant Director of Survey
and Land Records
7th Floor, Singaravelan Building
Rajaji Salai, Chennai.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records relating to the proceedings of the 3rd respondent vide his proceedings RC.A4/2236/2010 dated 26.04.2012. quash the same, consequently direct the 3rd respondent to pay the back wages, retirement benefits, arrears,



WP.No.6695/2017

pension benefits and other monetary benefits with interest at the rate prescribed by this Court within the stipulated time.

For Petitioner : Mrs. L.Srilekha

For Respondents : Mr.S.Ravikumar, Spl.GP

ORDER

- (1) The writ petition has been filed in the nature of a certiorarified mandamus seeking records relating to the proceedings of the 3rd respondent, Assistant Director of Survey and Land Records at Chennai, in proceedings RC.A4/2236/2010 dated 26.04.2012 and to quash the same and to direct the 3rd respondent to pay the back wages, retirement benefits, arrears, pension benefits and other monetary benefits.
- (2) The petitioner had joined as Record Clerk in the respondent Department in the year 1982. He was then subsequently promoted till the post of Assistant. There was a complaint against the petitioner before the Office of the Vigilance and Anti Corruption, Chennai, as if the petitioner had demanded bribe. The petitioner was placed under suspension by an order dated 20.05.2010. Parallely, a criminal



WP.No.6695/2017

WEB COPY

complaint was also lodged and on investigation, Final Report was taken cognizance as CC.No.27/2011 and assigned a new CC.No.22/2011 before the Special Court for Cases under Prevention of Corruption Act at Chennai. It is stated that by a judgment dated 31.08.2016, the petitioner had been acquitted of all charges. Under those circumstances the present writ petition has been filed seeking to quash the orders passed by the 3rd respondent and to permit the petitioner to retire from service and to pay the consequential retirement benefits.

- (3) The learned Special Government Pleader had forwarded the proceedings dated 21.10.2019 in Na.Ka.A5/2236/2010[1] by which the petitioner had been permitted to retire. It is contended by the learned Special Government Pleader that all the retirement benefits had also been paid to the petitioner herein. In the records given by the learned Special Government Pleader, the details of the retirement benefits paid to the petitioner, had also been given and it is the contention of the learned Special Government Pleader that the petitioner had been paid with all the retirement benefits which are



WP.No.6695/2017

payable to him.

(4) In view of this particular stand taken, no further issue arise for adjudication in this writ petition and therefore, recording the said statement, the writ petition stands **disposed of**.

(5) The learned counsel for the petitioner however stated that the period of suspension should be treated as one 'on duty' and sought monetary benefits to be paid for that particular period. It is contended that a separate representation dated 27.08.2020 had been given in that regard, but that the same had been rejected by the order dated 08.09.2020.

(6) That is separate cause and if the petitioner is aggrieved, the petitioner may take necessary steps questioning that particular order in manner known to law. No costs.

25.09.2023

AP

Internet : Yes

To



WP.No.6695/2017

1.The Commissioner and Directorate
Department of Survey and Land Records
Government of Tamil Nadu
Ezhilagam, Chennai – 5.

2.The Regional Deputy Director,
Survey and Land Records,
Ezhilagam, Chennai-5.

3.The Assistant Director of Survey
and Land Records
7th Floor, Singaravelan Building
Rajaji Salai, Chennai.



WEB COPY



WP.No.6695/2017

C.V.KARTHIKEYAN, J.,

AP

WP.No.6695/2017

25.09.2023