



W.P.(MD)No.460 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD) No.460 of 2023

A.Sekar

... Petitioner

Vs.

1.The District Collector,
Tuticorin District, Tuticorin.

2.The Revenue Divisional Officer,
Kovilpatti, Tuticorin District.

3.The Accountant General (A & E),
Office of the Principal Accountant General,
Teynampet, Chennai-18.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to pay pension and retirement benefits and other monetary benefits to the petitioner, based on the petitioner's representation dated 22.09.2022.

For Petitioner	: Mr.T.Selvan
For R1 & R2	: Ms.K.Christy Theboral Additional Government Pleader
For R3	: Mr.P.Gunaseelan



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ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to pay pension and retirement benefits and other monetary benefits to the petitioner, based on his representation dated 22.09.2022.

2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that he was worked as Village Administrative Officer and retired from service on 31.12.2013. However, till date the retirement benefits were not disbursed to him. Hence, the present writ petition has been filed.

4. The learned counsel appearing for the petitioner would submit that while the petitioner was in service, a case in Crime No.7 of 2011 has been registered against him and others for the offences under Section 420, 408, 409, 467, 468, 471 of I.P.C., r/w. Section 109 of I.P.C. and the same was taken on file in C.C.No.24 of 2012 on the file of Judicial Magistrate No.II, Tirunelveli.

After trial, the learned Judicial Magistrate acquitted the petitioner and other persons on 21.09.2022. Prior to that, the first respondent has issued a charge



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memo against the petitioner on 05.03.2012 under Section 17(B) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. Thereafter, an enquiry officer was appointed and even after filing the report, the disciplinary proceeding was not concluded. Hence, this Court may issue a direction to the respondents to conclude the disciplinary proceedings within a reasonable time and thereafter settle the terminal benefits.

5. Heard Mr.T.Selvan, learned counsel for the petitioner, Ms.K.Christy Theboral, learned Additional Government Pleader, who takes notice for respondents 1 and 2 and Mr.P.Gunaseelan, learned counsel, who takes notice for the third respondent.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondents to conclude the disciplinary proceedings within a period of six weeks from the date of receipt of a copy of this order and settle the terminal benefits within a period of two weeks thereafter.

7. With the above directions, this Writ Petition is disposed of. No costs.



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Index : Yes/No
Internet : Yes/No

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To

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M.DHANDAPANI, J.

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Order made in
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