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W.P.(MD)NO.8966 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.8966 of 2023

K.Chellaiah

... Petitioner

Vs.

1. The Principal Accountant General
(Accounts & Entitlements) Tamil Nadu,
O/o.Accountant General,
No.361, Anna Salai,
Chennai – 600 018.
2. The Commissioner of Revenue Administration,
Revenue and Disaster Management Department,
Ezhilagam,
Chennai – 600 005.
3. The District Collector,
Pudukottai District.
4. The Revenue Divisional Officer,
Revenue Divisional Office,
Aranthangi.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 4 to obtain orders from the Government for ratification and send a pension proposal of the petitioner as required for the 1st respondent and direct the 1st respondent to sanction the regular pension with effect from



30.06.2005 to the petitioner with 12% interest, consequently directing the respondents 2 to 4 to disburse the petitioner's arrears of salary with effect from 07.10.1994 to 30.09.1999 and issue direction to the respondents to disburse the petitioner all service mandatory benefits with interest within time stipulated by this Court or to grant any other reliefs.

For Petitioner : Mr.J.John
For R-1 : Ms.S.Mahalakshmi,
Standing counsel.
For R-2 to R-4 : Mr.G.Suriyananth,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner's antecedents are not that good. He appears to have been suffered conviction and sentence when he served as Karnam. Be that as it may, he was appointed through TNPSC as Village Administrative Officer in the year 1984. He retired on 30.06.2005. The petitioner is getting only provisional pension till date. The petitioner wants regular pension to be sanctioned and arrears also to be disbursed.



3. When the matter was taken up for hearing, the learned Standing counsel appearing for the Principal Accountant General states that the proposal originally received by them was returned on 24.07.2006 and till date no revised proposal has been received.

4. It appears that some period has to be regularized and it has not been done by the Revenue Divisional Officer, Aranthangi. The delay on the part of respondents 3 and 4 cannot be appreciated.

5. Respondents 2 to 4 are directed to re-construct the papers. The petitioner is also directed to offer his cooperation. Appropriate revised proposal shall be submitted by respondents 2 to 4 before the first respondent within a period of eight weeks from the date of receipt of a copy of this order. Thereafter, the first respondent will process the papers and sanction what is the due and eligible for the petitioner. The petitioner shall be paid his regular pension with effect from 01.11.2023 at regular basis. Arrears shall also be computed and disbursed by then. Since the petitioner has come to the Court belatedly, the question of granting interest will not arise. If the arrears are paid to the petitioner within sixteen weeks, it will not carry any interest. Otherwise it will carry



interest @ 6% p.a. from the date of the petitioner's original entitlement.

WEB CO This writ petition stands allowed. No costs.

12.06.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

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(Accounts & Entitlements) Tamil Nadu,
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G.R.SWAMINATHAN,J.

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