



W.P(MD)No.24789 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24789 of 2023

Kamalam

... Petitioner

Vs.

1.The Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai-600 009.

2.The Principal Accountant General (A&E),
M.T.B.Building,
571, Anna Salai,
Nandanam,
Chennai-600 018.

3.The District Collector/Chairman,
District Rural Development Agency,
Nagercoil Post,
Kanyakumari District.

4.The Block Development Officer,
Panchayat Union Office,
Melpuram, Pacode Post,
Kanyakumari District.

5.The Secretary to Government,
Finance (Pay Cell) Department,
Government of Tamil Nadu,
St.George Fort, Chennai.

... Respondents

(R5 is suo motu impleaded by this Court on 02.11.2023)



W.P(MD)No.24789 of 2023

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned orders passed by the 3rd respondent in A11/2144/2023, dated 07.07.2023 and 4th respondent in A11/2144/2023, dated 08.07.2023 and quash the both and consequently direct the respondents herein to grant Special Monthly Pension and Lump Sum payment to the petitioner from 08.2017 in the light of G.O. No.300 dated 2017.

For Petitioner : Mr.D.Srinivasa Raghavan
for Mr.B.Christopher

For R1,R3 & R5 : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.J.Ashok,
Additional Government Pleader

For R2 : Mr.P.Gunasekaran
Standing Counsel

For R4 : Mr.V.Om Prakash

ORDER

The present writ petition has been filed challenging the order passed by the 3rd respondent herein, wherein the request of the writ petitioner for grant of special pension under G.O.Ms.No.385 Finance (Pay Cell) Department, dated 01.10.2010 was rejected.



W.P(MD)No.24789 of 2023

2. The learned Additional Advocate General appearing for the respondents herein brought to the notice of the Court that a letter, dated 16.11.2023 was issued by the Principal Secretary to Government, Finance Department to the following effect:

“I am to invite your attention to the references cited and to state that the orders issued in the reference third cited is applicable to employees in Special Time Scale of Pay retiring w.e.f 01.10.2017.

2. The employees who were sanctioned with Special Time Scale of Pay as per the orders issued in the reference second cited and retired prior to 01.10.2017 are eligible to receive Special Pension sanctioned in the reference third cited with effect from 01.10.2017.”

3. In view of the above said facts, the prayer of the writ petition has been conceded to by the department. No further orders are called for. Accordingly, this Writ Petition stands closed. No costs.

28.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
gbg



W.P(MD)No.24789 of 2023

To

WEB COPY

1. The Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai-600 009.
2. The Principal Accountant General (A&E),
M.T.B.Building,
571, Anna Salai,
Nandanam,
Chennai-600 018.
3. The District Collector/Chairman,
District Rural Development Agency,
Nagercoil Post,
Kanyakumari District.
4. The Block Development Officer,
Panchayat Union Office,
Melpuram, Pacode Post,
Kanyakumari District.
5. The Secretary to Government,
Finance (Pay Cell) Department,
Government of Tamil Nadu,
St.George Fort, Chennai.



WEB COPY



W.P(MD)No.24789 of 2023

R.VIJAYAKUMAR,J.

gbg

Order made in
W.P(MD)No.24789 of 2023

Dated:
28.11.2023